

Decision No. 28066.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of Application of  
SOUTHERN PACIFIC COMPANY for an  
order authorizing the construction  
at grade of spur track across Third  
Street in the unincorporated town-  
site of Tule Lake, County of Siski-  
you, State of California.

Application No. 19995.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, on June 10, 1935, applied for authority to construct a spur track at grade across Third Street in the unincorporated townsite of Tule Lake, County of Siskiyou, State of California. Said Third Street is a public road under the jurisdiction of the United States Department of Interior, Bureau of Reclamation, and the Superintendent representing said Bureau has stated in writing that he has no objection to said crossing at grade.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned; and that the application should be granted,

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to construct a spur track at grade across Third Street, in the townsite of Tule Lake, County of Siskiyou, State of California, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions:

- (1) The above crossing of Third Street shall be identified as a portion of Crossing No. CFA-529.8.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed without super-elevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding two (2) per cent, and shall be protected by two Standard No. 1 crossing signs, as specified in our General Order No. 75-A.
- (4) No train, engine, motor or car shall be operated over said spur track crossing unless said train, engine, motor or car shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent employee acting as flagman.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (7) The Commission reserves the right to make such further orders, relative to the location, construction, operation, maintenance and protection of said crossing, as to it may seem right and proper and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 24th day of June, 1935.

Dean Whitely  
M. A. P.  
W. B. Harris  
W. B. Harris

Commissioners.