

Decision No. 28189

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
the People of the State of California,
on relation of the Department of
Public Works, for an order authorizing
the construction of a crossing at
grade of the state highway and the
tracks of the Central Pacific Railroad,
Mina Branch, near Laws, Inyo County,
California.

Application No. 20248.

BY THE COMMISSION:

O R D E R

ORIGINAL

The People of the State of California, on relation of the Department of Public Works, on November 8th, 1935, applied for authority to construct a state highway known as "Route 76", at grade across the branch line track of Southern Pacific Company, in the vicinity of Laws, Inyo County. Southern Pacific Company has signified, in writing, that it has no objection to the construction of 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 with said track at the point mentioned, and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, are hereby authorized to construct State Highway Route 76 at grade across the track of Southern Pacific Company at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. AN-505.5.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.
- (3) The crossings shall be constructed of a width of not less than twenty-four (24) feet and with grades of approach not greater than one (1) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by Standard No. 1 Crossing Sign, as specified in our General Order No. 75-A, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) 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.
- (5) 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.
- (6) 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 10th day of January, 1936.

Leon A. Whiteley
M. J. Curran
M. B. Quinn
M. H. [unclear]
Frank P. [unclear]

Commissioners.