

Decision No. 28530.

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 con-
struction of a crossing at grade of State
Highway Route 150 (Modoc Road) and the
tracks of the Southern Pacific Railroad
0.4 mile west of Santa Barbara, County of
Santa Barbara, State of California.

Application No. 20294.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on December 10, 1935, applied for authority to construct a State highway known as V-SB-150-A (Modoc Road) at grade across the track of Southern Pacific Company, 0.4 mile west of the City of Santa Barbara, County of Santa Barbara. Southern Pacific Company on January 9, 1936, signified, in writing, that it had 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,

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 Road V-SB-150-A (Modoc Road) at grade across the track of Southern Pacific Company at the location as shown by the map (Exhibit "A") attached to the application, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. E-367.65.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of 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 crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle of approximately ninety (90) degrees to the railroad, with grades of approach not greater than four (4) per cent; shall be constructed equal or superior to type shown as Standard No. 3 in our General Order No. 72; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Two (2) Standard No. 3 wigwag signals, as specified in our General Order No. 75-A, shall be installed and maintained at the sole expense of Southern Pacific Company for the protection of the crossing herein authorized.
- (5) Upon the completion of the grade crossing herein authorized, and upon its being opened to public use and travel, applicant shall legally abandon and effectively barricade and close to public use and travel two grade crossings, one identified as Crossing No. E-366.9, located approximately seven-tenths (.7) of a mile north of the crossing herein authorized, and the other identified as Crossing No. E-367.6, adjacent to the one herein authorized. Southern Pacific Company shall immediately thereafter perform all the work and assume all the expense, including construction of any right of way fences, in connection with physically abolishing said grade crossings.
- (6) 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.
- (7) 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.

- (8) 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 27th day of January, 1936.

W. B. Harwin
Leon Arthur
M. P. Lewis
Walter S. ...
Frank R. ...
Commissioners.