

Decision No. 28562.

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 separated grades of the  
State highway and the Great Northern Rail-  
way at Nubieber, in the County of Lassen,  
State of California.

Application No. 20341.

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 January 11, 1936, applied for authority to construct a State highway known as Road II-Las-28-A at separated grades over the main track of Great Northern Railway Company in the vicinity of Nubieber, County of Lassen, State of California. Great Northern Railway Company, on January 25, 1936, signified, in writing, that it has no objection to the construction of said overgrade crossing.

It appearing that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity to construct the overgrade crossing; 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 a State highway known as Road II-Las-28-A at separated grades over the main track of Great Northern Railway Company in the vicinity of Nubieber, County of Lassen, State of California, at the location as shown by the plan (Exhibit "A") attached to the application, subject to the following

conditions:

- (1) The above crossing shall be identified as Crossing No. 9-89.4-A.
- (2) The entire expense of constructing the crossing in good and first-class condition for safe and convenient use of the public shall be borne by applicant. Thereafter the maintenance of the structure and the pavement thereon shall be borne by applicant. The maintenance of the track and appurtenances thereto shall be borne by Great Northern Railway Company.
- (3) Applicant shall file within six (6) months from the date hereof, a copy or copies of agreement or agreements entered into between the parties covering the terms of construction and maintenance of said grade separation.
- (4) Applicant shall file within ninety (90) days from the date hereof and prior to the commencement of construction, a set of plans for said crossing, showing clearances, alignment and grades, which plans shall have been approved by the Great Northern Railway Company.
- (5) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (6) During the construction of said grade separation applicant may construct a temporary crossing at grade in the vicinity of said separation for the convenience of vehicles and other road traffic. Upon the completion of the grade separation herein authorized and upon its being opened to traffic, applicant shall, at its sole expense, immediately close said temporary grade crossing to vehicular and other road traffic and cause it to be physically abolished.
- (7) 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.
- (8) 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.

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

Dated at San Francisco, California, this 10<sup>th</sup> day of February, 1936.

M. S. Lamm  
Leon Whidley  
A. P. Linn  
W. H. Linn  
Francis R. Klevin

Commissioners.