

Decision No. 28788.

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 the
State highway and the tracks of the
Southern Pacific Railroad near Viewland,
Lassen County, California.

Application No. 20468.

ORIGINAL

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on April 7, 1936, applied for authority to construct a public road known as State Highway Route 73 at grade across the tracks of Southern Pacific Company in the vicinity of Viewland, Lassen County.

Southern Pacific Company, on April 23, 1936, 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 tracks 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 State Highway Route 73 at grade across the tracks 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. CFA-366.8.
- (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 crossing shall be constructed of a width of not less than twenty-four (24) feet and with grades of approach not greater than five (5) 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 two (2) Standard No. 1 crossing signs, 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) Upon the completion and opening to public use of the crossing herein authorized, applicant shall legally abandon and effectively close to public use and travel the existing crossing of State Highway Route 73, located approximately one-half mile south of the crossing herein authorized, and identified as Crossing No. CFA-366.2.
- (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 4th day
of May, 1936.

M B Harris
Leon Anthony
W A Cunn
W H [unclear]
Frank Deem

Commissioners.