

Decision No. 28806.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of LASSEN COUNTY, a political subdivision of the State of California, for an order of change of county highway crossing of railroad.

Application No. 20475.

BY THE COMMISSION:

ORIGINAL

O R D E R

The Board of Supervisors of the County of Lassen, on April 9, 1936, applied for authority to construct a public road at grade across the track of The Western Pacific Railroad Company in the vicinity of Doyle, Lassen County, State of California. The proposed crossing would replace an existing crossing at grade of the same county road, located approximately six hundred feet to the south.

The Western Pacific Railroad Company, on April 16, 1936, signified, in writing, that it had no objection to the proposed change in location 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 Board of Supervisors of the County of Lassen, State of California, is hereby authorized to construct a county road at grade across the main line track of The Western Pacific Railroad 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. 4-360.5.
- (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 The Western Pacific Railroad Company.
- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle of approximately sixty (60) degrees to the railroad and with grades of approach not greater than six (6) 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 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) Prior to the beginning of actual construction of the crossing herein authorized, the County of Lassen shall file with this Commission a certified copy of an appropriate ordinance or resolution, duly and regularly passed, instituting all necessary steps to legally abandon and effectively close the existing public crossing located approximately 600 feet to the south of the crossing herein authorized and identified as Crossing No. 4-360.4. Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, said Crossing No. 4-360.4 shall be legally abandoned and effectively closed to public use and travel.
- (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 11th day of May, 1936.

W B Davis
Leon Whitwell
W A Cunn
W H ...
George R. Wiley
Commissioners.