

Decision No. 28975

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 construction of three crossings at grade of the State highway and the tracks of the Central Pacific Railroad, Mina Branch, in Mono County, California.

Application No. 20593

BY THE COMMISSION:

ORIGINAL

O R D E R

The People of the State of California, on relation of the Department of Public Works, on June 2, 1936, applied for authority to construct a public road known as State Highway Route No. 76 at grade across the branch line track of Central Pacific Railroad (operated by Southern Pacific Company) at three locations in Mono County. Southern Pacific Company, on June 26, 1936, signified, in writing, that it has no objection to the construction of said crossings at grade. Upon completion of the crossings proposed, two existing crossings can be vacated and closed.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings with said track at the points 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 No. 76 at grade across the Mina branch line track of Central Pacific Railroad (operated by Southern Pacific Company), at the locations

more particularly described in the application and as shown by the maps attached hereto, subject to the following conditions and not otherwise:

- (1) The above crossings shall be identified as follows:

<u>Crossing near</u>	<u>Crossing No.</u>
Benton	AN-478.5
Hammil	AN-487.5
Chalfant	AN-499.4

- (2) The entire expense of constructing the crossings shall be borne by applicant. The cost of maintenance of those portions of said crossings up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of the crossings 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 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) Upon the completion of Crossings Nos. AN-487.5 and AN-499.4 as herein authorized, applicant shall cause existing Crossings Nos. AN-486.8 and AN-499.3 to 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 crossings 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 crossings 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 9th day of July, 1936.

M B Hanna  
Leon Whiteley

Frank R. Dulin

Commissioners