

Decision No. 29222.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
COUNTY OF HUMBOLDT for a grade cross-  
ing over the tracks of the Northwestern  
Pacific Railroad Company.

Application No. 20676.

BY THE COMMISSION:

O R D E R

ORIGINAL

The Board of Supervisors of the County of Humboldt, State of California, has applied for authority to construct a county road at grade across the track of Northwestern Pacific Railroad Company in the vicinity of Arcata. Northwestern Pacific Railroad has signified, in writing, that it does not object 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 Board of Supervisors of the County of Humboldt, State of California, is hereby authorized to construct a county road at grade across the track of Northwestern 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. 5G-296.9.
- (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 Northwestern Pacific Railroad 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 two (2) 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) Prior to the beginning of actual construction of the crossing herein authorized, the County of Humboldt 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 grade crossing in the vicinity of the crossing herein authorized and identified as Crossing No. 5G-297.0. Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, said Crossing No. 5G-297.0 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 26th day of October, 1936.

M B Davis  
Leon A. White  
W. G. Carr  
Stuart B. Pinn  
 Commissioners.