

Decision No. 38252

ORIGINAL

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 construc-)
tion of a crossing at separated grades of) Application No. 26721
the State Highway and the tracks of the)
Northwestern Pacific Railroad in the)
vicinity of Rohnerville, in the County)
of Humboldt, State of California.)

BY THE COMMISSION:

O R D E R

The Department of Public Works of the State of California is authorized to construct State Highway No. 1 at separated grades over the track of Northwestern Pacific Railroad Company near Fortuna, Humboldt County, at the location as shown by map (Exhibit A) attached to the application, to be identified as Crossing No. 5-264.4-A. Construction and maintenance expense shall be borne in accordance with an agreement entered into between the parties relative to the construction and maintenance of said crossing, and copy of said agreement together with plans of said crossing approved by Northwestern Pacific Railroad Company shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order. Upon completion and opening of said crossing to public use the existing crossing of State Highway Route 1 located about one mile southerly (Crossing No. 5-263.4) shall be abandoned and closed.

Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing. This

authorization shall become void if not exercised within two years unless time be extended, or if conditions are not complied with. This order shall be effective immediately.

Dated, San Francisco, California, September 25 1945.

Edward Radwin
Justus J. Craguer
Richard Laska
Harold W. Clark
Ernest J. Sullivan
COMMISSIONERS