

Decision No. 77453

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of City of Novato to)
construct a public street across)
a railroad and to abolish an)
existing railroad crossing.)

Application No. 51672
(Filed February 2, 1970)

O R D E R

The City of Novato is hereby authorized to construct Reichert Avenue at grade across a track of Northwestern Pacific Railroad Company in Marin County, at the location described in the application to be identified as Crossing No. 5-28.0.

Width of crossing shall be not less than 40 feet and grades of approach not greater than three percent. Construction shall be equal or superior to Standard No. 2 of General Order No.72. Protection shall be by two Standard No. 3 flashing light signals (General Order No. 75-B) augmented with automatic gate arms and additional flashing light units on cantilever arms.

Construction expense of the crossing shall be borne in accordance with an agreement to be entered into between the parties or, if they fail to agree, by further order of the Commission. Maintenance cost of the crossing outside of lines two feet outside of rails shall be borne by applicant. Northwestern Pacific Railroad Company shall bear maintenance cost of the crossing between such lines.

Installation cost of the automatic crossing protection shall be divided equally between the applicant and the railroad. Maintenance cost of the automatic protection shall be divided equally between the applicant and the railroad, pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

Upon completion, Crossing No. 5-27.9, about 450 feet southerly shall be abandoned and effectively closed. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within three years unless time be extended or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require. The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 7th day of JULY, 1970.

[Signature]
Chairman
[Signature]
[Signature]
Commissioners

Commissioner A. W. Cator, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Vernon B. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.