

ORIGINAL

Decision No. 11980

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application)	
of The Atchison, Topeka and Santa)	
Fe Railway Company, a corporation,)	
for authority to lay down, construct,)	Application No. 8865.
maintain and operate a spur track)	
across a county road at Ultra, County)	
of Tulare, State of California.)	

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on April 2, 1923, filed with the Commission an application for permission to construct a spur track at grade across County Road in the vicinity of Ultra in the County of Tulare, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Board of Supervisors of said County of Tulare for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said County Road, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across County Road in the County of Tulare, State of California, described as follows:

"Commencing at a point in the south line of the County Road running east and west along the north line of Section 6, T. 23 S., R. 28 E., said point being 18.31 ft. at right angles northwesterly from the center line of the Minkler Southern Railway Company's main track, thence in a northerly direction on a 9° 30' curve, concave westerly a distance of 16.5 ft. thence in a northeasterly direction on a 9° 30' curve, concave southeasterly, a distance of 48.78 ft. to a point in the north line of said County Road, 25.68 ft. at right angles northwesterly from the center line of said Company's main track."

All of the above as shown by the map (Div'n Eng'r's. Drawing No. A-4022) attached to the application; said crossing to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said County Road now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding three (3) per cent; shall be protected by a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) The authorization herein granted for the installa-

tion of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) 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, the public convenience and necessity demand such action.

This order shall become effective three (3) days after the making thereof.

Dated at San Francisco, California, this 27th day of April, 1923.

C. S. Leung
H. B. ...
... ..
J. F. ...
Commissioners.