

Decision No. 13067

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of  
The County of Tulare for permission  
to construct a crossing of a public  
highway over a railroad of the Atchi-  
son, Topeka & Santa Fe Railway Company  
in the Northeast quarter of the South-  
east quarter of Section 19, in Township  
16 South, Range 25 East, Mt. Diablo  
Base and Meridian.

ORIGINAL

Application No. 9590

BY THE COMMISSION:

O R D E R

Board of Supervisors of the County of Tulare, State of California, having on December 11, 1923, filed with the Commission an application for permission to construct a public road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company, hereinafter called the Railroad, in the northeast quarter of the southeast quarter of Section 19, Township 16 South, Range 25 East, M.D.B. & M. in the County of Tulare, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Railroad has signified by letter that it has no objections to 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 tracks, and

that the application should be granted subject to the conditions hereinafter specified, .

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

Commencing at a point, the location of said point being described as follows: Beginning at the northeast corner of the southeast quarter of the southeast quarter of Section 19, in Township 16 South, Range 25 East, Mt. Diablo Base and Meridian, and running thence West 449.75 feet; thence North  $37^{\circ} 43\frac{1}{2}'$  West 899.7 feet; thence North  $28^{\circ} 12\text{-}3/4'$  West 322.44 feet to the point of beginning, and thence from said point of beginning North  $28^{\circ} 12\text{-}3/4'$  East 314.9 feet; thence South  $61^{\circ} 47\frac{1}{2}'$  East 40 feet; thence South  $28^{\circ} 12\text{-}3/4'$  West 314.9 feet; and thence North  $61^{\circ} 47\frac{1}{2}'$  West 40 feet to the point of commencement.

All of the above as shown by the maps (Exhibits "A" and "B") attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing, shall be borne by applicant. The cost of its maintenance up to 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 The Atchison, Topeka and Santa Fe Railway Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of approximately eighty (80) degrees to the railroad and with grades of approach not greater than three (3) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon 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) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, 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 from the making thereof.

Dated at San Francisco, California, this 21<sup>st</sup> day of January, 1924.

O. Healey  
H. B. ...  
... ..

J. J. Whittney  
Commissioners.