

Decision No. 13492

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 permis-)
sion to construct a crossing of a)
public highway over a railroad of)
the Southern Pacific Railroad Com-)
pany and the Southern Pacific Com-)
pany on the west line of Section)
32, in Township 18 South, Range 25)
East, Mt. Diablo Base and Meridian.)

Application No. 9787

ORIGINAL

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Tulare, State of California, having filed the above entitled application with this Commission on the 18th day of February, 1924, asking for authority to construct a public road at grade across the tracks of Southern Pacific Company in said County, as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing at grade, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to provide a separated grade crossing at the point mentioned in this application or to avoid a grade crossing with said tracks, and that this application should be granted, subject to the conditions hereinafter specified,

THEFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to the Board of Supervisors, of the County of Tulare, State of California, to construct a public road on the west line of Section 32, Township 18 South, Range 25 East, M.D.B. & M. at grade across the tracks of Southern Pacific Company as follows:

Commencing at the E $\frac{1}{4}$ corner of Section 32, Township 18 South, Range 25 East, M.D.B. & M., thence north 20 feet, thence west 58.5 feet, thence south 40 feet, thence east 58.5 feet, thence north 20 feet to the point of beginning.

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 Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four feet and at an angle of ninety (90) degrees to the railroad and with grade of approach not greater than four (4) 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) The existing private crossing located about forty-five feet northerly from the crossing herein granted shall be abandoned and effectively closed.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of

the installation of said crossing.

(5) 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.

(6) 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 ten (10) days after the making thereof.

Dated at San Francisco, California, this 30th day of April, 1924.

C. C. Seavey
H. H. B. ...
James M. Martin
Ernest Shore
Commissioners.