

Decision No. 13808

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of The Atchison, Topeka and Santa)
Fe Railway Company, a corporation,)
for authority to construct a spur)
track across S. East Street in the)
City of Visalia, County of Tulare,)
State of California.)

Application No. 10024

BY THE COMMISSION:

ORIGINAL

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 28th day of April, 1924, asking for authority to construct a spur track at grade across S. East Street in the City of Visalia, County of Tulare, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Trustees of said City for 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 avoid a grade crossing with said S. East Street and that this application should be granted subject to the conditions hereinafter specified,

THEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across S. East Street, in the City of Visalia, County of Tulare, State of California, as follows:

Commencing at a point in the center of The A. T. & S. F. Ry. Co's. main track, said point being distant 1460.6 feet south of the south line of E. Mineral King Avenue, and 33 feet west of the east line of S. East Street, thence northeasterly on a curve to the right having a radius of 942.29 feet, a distance of 86.17 feet, thence on a curve to the right having a radius of 459.28 feet, a distance of 118.66 feet to the east line of S. East Street.

All of the above as shown by the map (Division Engineer's Drawing No. V-16-44) 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 street now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding two (2) 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) 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