

Decision No. 14452

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of)
SOUTHERN PACIFIC COMPANY for an)
order authorizing the construction) Application No. 10702.
of a spur track across Bush Street,)
in the City of Tulare, County of)
Tulare, State of California.)

BY THE COMMISSION:

ORIGINAL

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 2nd day of January, 1925, asking for authority to construct a spur track at grade across Bush Street in the City of Tulare, County of Tulare, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the City Council 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 provide a grade separation, or to avoid a grade crossing at the point mentioned in this application with said Bush 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 Southern Pacific Company to construct a spur track at grade across Bush Street, in the City of Tulare, County of Tulare, State of California, as follows:

COMMENCING at a point in the northerly boundary line of Bush Street westerly 188 feet measured along said northerly boundary line from the westerly line of "J" Street, said point of commencement also being located easterly 40 feet

measured at right angles to the center line of the Southern Pacific Railroad Company's main track as constructed opposite Engineers Station 8256+58.4; thence in a southerly direction 82 feet, more or less, to an intersection with the southerly boundary line of said Bush Street 172 feet westerly, measured along said southerly boundary line from the westerly boundary line of "J" Street, indicated in red on attached print of San Joaquin Division Drawing A-2585.

and as shown by the map (San Joaquin Div. A-2585) 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 tops of rails flush with the pavement, and with grades of approach not exceeding four (4) 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 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 12th day of January, 1925.

C. S. Lewis
H. B. Bondage
Egerton Shore

Commissioners.