

Decision No. 14863.

ORIGINAL

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 passing
track across the county road at
North Dinuba, in the County of
Tulare, State of California.

Application No. 11011.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 16th day of April, 1925, asking for authority to construct a passing track at grade across a county road at North Dinuba, in the County of Tulare, State of California, as hereinafter set forth. The necessary franchise or permit (Exhibit "B") has been granted by the Board of Supervisors of said County 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 county road 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 passing track at grade across a county road at North Dinuba, in the County of Tulare, State of California, as follows:

Proposed track to cross County Road parallel to and fourteen (14) feet at right angles southerly from the center line of The Atchison, Topeka and Santa Fe Railway Company's main track.

and as shown by the map (Div'n. Eng. Dwg. No. V-8-50) 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 tops of rails flush with the pavement, and with grades of approach not exceeding one and one-half (1½) 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 29th
day of April, 1925.

H. B. Brundage

Oliver S. Searcy

J. C. Searcy

George D. Squires

Commissioners.