

Decision No. 15286

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 the County Road near
Exeter, in the County of Tulare,
State of California.

Application No. 11470

ORIGINAL

BY THE COMMISSION:

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 23rd day of July, 1925, asking for authority to construct a spur track at grade across the County Road in the vicinity of Exeter, County of Tulare, State of California, as hereinafter set forth. The necessary franchise or permit (Adopted July 6, 1925) has been granted by the Board of Supervisors of said County for the construction of said crossing at grade. 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 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 spur track at grade across the County Road, in the vicinity of Exeter, County of Tulare, State of California, as follows:

Commencing at a point in the south line of County Road 27 feet at right angles westerly from the center line of the main track of the Minkler Southern Railway Company thence northerly and parallel to said 114

Company's main track 40 feet to a point in the north line of said County Road.

and as shown by the map (No. V-20-78) 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 road now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding three (3) per cent on both approaches; 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 (1) 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 judg-

ment, 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 31st day of July, 1925.

H. B. Brundage

George D. Quinn

Leon Whitell
Commissioners.)