

ORIGINAL

Decision No. 16618.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construc-
tion at grade of a side track
across County Road in the vicinity
of Lindsay, County of Tulare,
State of California.

Application No. 12701.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 1st day of April, 1926, asking for authority to construct a side track at grade across a county road near the southerly limits of the City of Lindsay, County of Tulare, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated March 25, 1926) has been granted by the Board of Supervisors of said County of Tulare 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 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 Southern Pacific Company to construct

a side track at grade across a County Road near the southerly limits of the City of Lindsay, County of Tulare, State of California, as follows:

Beginning at a point on the northerly line of County Road, 18 feet distant easterly at right angles from the center line of the main track of the Southern Pacific Railroad Company's Fresno Branch at Engineers Station 3759x99 +, thence southerly along the center line of proposed track parallel to and 18 feet distant from said main track 43 feet more or less across said County Road to a point on the southerly line of said County Road;

and as shown by the map (San Joaquin Div'n Dwg. B-2805) attached to the application; said crossing to be constructed subject to the following conditions, namely:

(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 equal or superior to type shown as Standard No. 3, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said road now graded, with the tops of rails at same elevation as main line rails and flush with the roadway, 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 public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 3^d day of May, 1926.

H. B. Brundage

C. C. Sawyer

Erwin J. Galt

Commissioners.