

Decision No. 16669

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
Southern Pacific Company for an order
authorizing the construction at grade
of a cross-over track across Chestnut
Street, in the City of Exeter, County
of Tulare, State of California.

Application No. 12797.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 30th day of April, 1926, asking for authority to construct a cross-over track at grade across Chestnut Street in the City of Exeter, 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 of Exeter 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 Chestnut 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 cross-over track at grade across Chestnut Street in the City of Exeter, County of Tulare, State of California, as follows:

Commencing at the intersection of the northeasterly line of "G" Street with the northwesterly line of Chestnut Street as shown on that certain map entitled "Map of the Town of Exeter, Tulare County, California", said map filed for public record, November 9th, 1892, in Volume 2 of Maps, Page 52, Tulare County Records, thence northeasterly along the northwesterly line of Chestnut Street 115 feet, more or less to point of beginning of center line of track being described; thence southerly along center line of track 90 feet, more or less, to the southwesterly line of Chestnut Street 107.5 feet, more or less, from the northeasterly line of "G" Street.

and as shown by the map (San Joaquin Div'n. Dwg. No. A-2745) attached to the application; said crossing to be constructed subject to the following conditions, and not otherwise;

(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. 2 in General Order No. 72 of this Commission and shall be constructed without superelevation and at least thirty (30) feet in width to conform to that portion of said street 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 one (1) 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) Crossings of adjacent tracks shall be increased to a width of thirty (30) feet.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(5) 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.

(6) 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 15 day of May, 1926.

H. B. Hendricks
C. L. Leamer
Ernest W. Smith

Commissioners.