

Decision No. 16670.

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 proposed side track across Firebaugh Avenue and across Chestnut Street, in the City of Exeter, County of Tulare, State of California.

Application No. 12,798.

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 side track at grade across Firebaugh Avenue and 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 grade separations, or to avoid grade crossings at the points mentioned in this application with said Firebaugh Avenue and 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 side track at grade across Firebaugh Avenue and 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 "F" Street with 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 southwesterly along the northwesterly line of Chestnut Street, 199 ft., more or less, to point of beginning of center line of track being described; thence southeasterly 80 ft., 31 ft. northeasterly from and parallel to the center of main track of the Southern Pacific Railroad Co., to a point on the southeasterly line of Chestnut Street, as shown on said map.

Commencing at the intersection of the southwesterly line of "F" 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, with the northerly line of County Road No. 845 (now Firebaugh Ave.) declared a Public Highway 40 feet in width July 8th, 1908; thence westerly along the northerly line of County Road No. 845, 131.3 ft. to point of beginning of center line of track being described; thence southeasterly 44.1 ft., 31 ft. northeasterly from and parallel to the center of main track of the Southern Pacific Railroad Co., to a point on the southerly line of County Road No. 845 as shown on said map.

and as shown by the map (San Joaquin Div'n. Dwg. A-2950) attached to the application; said crossings to be constructed subject to the following conditions, and not otherwise:

(1) The entire expense of constructing the crossings together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings 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 not less than 24 feet in width at Firebaugh Avenue and 30 feet in width at Chestnut Street, 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 suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and

other road traffic.

(3) Existing track crossings on Chestnut Street shall be widened to thirty feet.

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

(5) If said crossings 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 crossings 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 5th day of May, 1926.

H. B. ...

C. ...

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Commissioners.