

Decision No. 11,914.

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 spur track across
Main Street, in the vicinity of
Ivanhoe Station, County of Tulare,
State of California.

ORIGINAL

Application No. 12,878.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 25th day of May, 1926, asking for authority to construct a spur track at grade across Main Street in the vicinity of Ivanhoe Station, County of Tulare, State of California, as hereinafter set forth. An agreement entered into on June 26, 1913 between the Southern Pacific Railroad Company, Southern Pacific Company and County of Tulare covering an easement for the Main Street Crossing reserves the right to the railroad companies to construct such additional tracks across Main Street as they may desire. Copy of this agreement is filed with Application No. 720. 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 Main 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 spur track at grade across Main Street, in the vicinity of Ivanhoe Station, County of Tulare, State of California, as follows:

Commencing at the intersection of the northerly line of Second Street with the easterly line of Main Street as shown on that certain map entitled "Venice Hill, SW 1/4 of Section 1, Township 18 South, Range 25 East, M.D. B.&M.," said map filed for public record April 16, 1913 in the office of County Recorder in Volume 12, Page 41 of Maps, Tulare County Records; thence South $1^{\circ} 03'$ East along said easterly line of Main Street produced southerly a distance of 220 feet to point of beginning of center line of track being described; thence North $61^{\circ} 30'$ West a distance of 70 feet more or less to an intersection with the westerly line of said Main Street produced southerly, to end of center line of track being described;

and as shown by the map (San Joaquin Div'n, Dwg A 2838 Sheet 2) 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. 2, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails 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) The existing spur track crossing shown in yellow

on said map (A 2838) shall be removed and roadway restored to conform to adjacent sections for the safe and convenient use of the public.

(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 14th day of June, 1926.

H. B. Brundage
C. A. Seamy

Leon Whitell

Commissioners.