

ORIGINAL

Decision No. 17437

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )  
 the County of Tulare for the altera- )  
 tion of two crossings of a public )  
 highway over spur tracks of the Sou- )  
 thern Pacific Railroad Company, near )  
 the station of Visalia. )

Application No. 13027.

BY THE COMMISSION:

O R D E R

County of Tulare, State of California, filed the above entitled application with this Commission on the 12th day of July, 1926, asking for authority to widen a public road, known as Road No. 446, at grade across two spur tracks of Southern Pacific Company near Visalia, in said County, as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the widening of said crossing at grade and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that the widening of said County Road No. 446 from 45 to 50 feet, as set forth in the application, is in the public interest 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 Board of Supervisors of the County of Tulare, State of California, to widen County Road No. 446 at grade across two spur tracks of Southern Pacific Company at the following locations:

- Spur track crossing described in Decision No. 15041,  
(Application No. 11073);
- Spur track crossing described in Decision No. 11251,  
(Application No. 8407);

and as shown by the map (Exhibit "A") attached to the application, said crossings to be widened subject to the following conditions, namely:

(1) The entire expense of widening said crossings shall be borne by applicant. The cost of maintenance of said crossings up to line two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossings between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossings shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

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

(3) If said crossings shall not have been widened 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.

(4) 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 5<sup>th</sup> day of ~~September~~ <sup>October</sup>, 1926.

H. B. ...  
...

Leon Whitell

Commissioners.