

Decision No. 19017.

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  
side track across County Road  
No. 259.88, in the vicinity  
of Tipton, County of Tulare,  
State of California.

Application No. 14154.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 15th day of October, 1927, asking for authority to construct a side track at grade across a County Road in the vicinity of Tipton, County of Tulare, State of California, as hereinafter set forth. The necessary franchise or permit dated October 3, 1927 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,

GPT

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 on the north line of Sec. 31, T. 21 S., R. 24E., M.D.B. & M., in the vicinity of Tipton, County of Tulare, State of California, at the location hereinafter particularly described and as shown by the map (S.J.Div'n.Dwg.A-3330) attached to the application.

#### DESCRIPTION OF CROSSING

Center line description of Industry track: Commencing at the northeast corner of the northwest quarter of Section 31, Township 21 South, Range 24 East, M.D.B.&M.; thence north  $89^{\circ}42\frac{1}{2}'$  west along the north line of said legal subdivision a distance of 901.32 feet to a point; thence south  $0^{\circ}17\frac{1}{2}'$  west, a distance of 25.0 feet to an intersection with the south line of a county road and point of beginning of center line of proposed industry track hereinafter described; thence north  $10^{\circ}20'$  west, parallel to and 91.5 feet distant measured at right angles northeasterly from the center line of the Southern Pacific Railroad Company's main line railroad track, extending through said Section 31, a distance of 50.98 feet, to an intersection with the north line of said county road, and end of center line of said industry track being described.

The above crossing shall be identified as Crossing No. B-259.9.

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. 2a, 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 tops of rails flush with the roadway, and with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing

sign placed on the N.E. corner of crossing and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Crossing sign at main line crossing shall be moved to southwest corner of crossing.

(4) No train, motor, engine or car shall be stored within 100 feet of either property line of Crossing No. B-259.9 unless said crossing is protected by human flagman.

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

(6) 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.

(7) 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 4<sup>th</sup> day of November, 1927.

*Emery*  
*Seamy*  
*Leon Whitell*  
*W. D. ...*  
*M. A. ...*  
 Commissioners.