

Decision No. 19721.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of THE ATCHISON, TOPEKA AND SANTA  
FE RAILWAY COMPANY, a corporation,  
for authority to construct a spur  
track across the County Road near  
Exeter, County of Tulare, State  
of California.

Application No. 14652.

BY THE COMMISSION:

**ORIGINAL**ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 30th day of April, 1928, asking for authority to construct a spur track at grade across a county road in the vicinity of Exeter, County of Tulare, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County 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

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across county road in the vicinity of Exeter, County of Tulare, State of

California, at the location hereinafter particularly described and as shown by the map (Division Engineer's Drawing V-18-245) attached to the application.

Description of Crossing

Beginning at a point 30 feet northerly, measured along the main line track of The Atchison, Topeka and Santa Fe Railway Company and 39.55 feet at right angles westerly from the intersection of the east and west line thru the center of Section 11, Township 19 South, Range 26 East, M.D.B. & M. with the center line of said main track, said point being opposite Engineer's Station 1081 plus 07.4 and in the northerly boundary line of the county road paralleling said quarter section line; thence southerly on the arc of a 9 degree 30 minute curve, concave easterly a distance of 60.1 feet to the southerly boundary of said county road.

The above crossing shall be identified as Crossing No. 25-39.6.

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 super-elevation and of a width to conform to that portion of said road 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 three (3) per cent; shall be protected by a crossing sign constructed in accordance with Standard No. 1 of Commission's General Order No. 75 and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days there-

after, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) 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.

(5) 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 8<sup>th</sup> day of May, 1928.

Leon Whidell  
Clarence  
Emmett  
Paul  
M. J. Lee  
 Commissioners.