

**ORIGINAL**Decision No. 19865.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

\_\_\_\_\_ )  
 In the Matter of the Application )  
 of the COUNTY OF TULARE for permis- )  
 sion to construct a crossing of a )  
 public highway over a railroad of the )  
 Visalia Electric Railroad Company, )  
 on the West Line of Section 16, )  
 Township 18 South, Range 27 East, )  
 M.D.B. & M., in Lindcove Realty Sub- )  
 division. )  
 \_\_\_\_\_ )

Application No. 14,643.

BY THE COMMISSION:

ORDER

The Board of Supervisors of the County of Tulare, State of California, filed the above entitled application with this Commission on the 27th day of April, 1928, asking for authority to construct First Street at grade across the track of Visalia Electric Railroad Company, in the vicinity of Lindcove Realty Subdivision as hereinafter set forth. Said Visalia Electric Railroad Company has signified by letter that it has no objection to the construction 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 it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said track at the point mentioned in this application, 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 construct First Street at grade

across the track of Visalia Electric Railroad Company at the location hereinafter particularly described and as shown by the map (County Surveyor's Map of Proposed Crossing) attached to the application.

DESCRIPTION OF CROSSING

Commencing at a point 2378.5 feet North and 20 feet East of the Southwest Corner of Section 16, Township 18 South, Range 27 East, M.D.B. & M.; thence North 25 feet East 40 feet; South 50 feet; West 40 feet; North 25 feet to the point of commencement.

The above crossing shall be identified as Crossing No. 77-8.1.

Said crossing shall be constructed subject to the following conditions and not otherwise:

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

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than five (5) per cent; shall be constructed substantially in accordance with Standard No. 2 as specified in General Order No. 72 of this Commission; shall be protected by a Standard No. 1 crossing sign as specified in General Order No. 75 of this Commis-

sion and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

(3) The existing private crossing located three hundred and forty-eight (348) feet south of the crossing herein authorized shall be abandoned and effectively closed.

(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 5<sup>th</sup> day of June, 1928.

Leon Whitell

Cl Seavey

Ernest J. ...

John D. ...

W. H. ...  
Commissioners.