

Decision No. 20520

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 known as Tay Street,
in the vicinity of Strathmore,
County of Tulare, State of
California.

ORIGINAL

Application No. 15153.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 24th day of October, 1928, asking for authority to construct a side track at grade across Tay Street in the vicinity of Strathmore, 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 Tay 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 side track at grade across Tay Street in the vicinity of

Strathmore, County of Tulare, State of California, at the location hereinafter particularly described and as shown by the map (San Joaquin Division Drawing No. AB-3520) attached to the application.

DESCRIPTION OF CROSSING

Commencing at the southwest corner of the northwest quarter of Section 33, Township 20 South, Range 27 East, M.D.B. & M.; thence North $88^{\circ} 48-1/4'$ East along the south line of said legal subdivision a distance of 360.09 feet to a point; thence North $1^{\circ} 11-3/4'$ west a distance of 25.0 feet to an intersection with the north line of County Road, commonly known as Tay Street, to point of beginning of center line of proposed Industrial drill track hereinafter described; thence South $24^{\circ} 49-1/4'$ East, parallel to and 31.0 feet distant measured at right angles southwesterly from the center line of Southern Pacific Railroad Company's main line track, a distance of 54.57 feet to an intersection with the South line of said County Road and end of center line of said proposed Industrial drill track.

The above crossing shall be identified as a portion of Crossing No. BC-268.6.

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

(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. 3, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding three (3) per cent; shall be protected by a Standard No. 1 crossing sign as specified in General Order No. 75 of this Commission 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 thereafter, 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 26th day of November, 1928.

Alben

Edward

John

M. J. C.

 Commissioners.