

Decision No. 20827

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 Grevilla Avenue, in
the City of Porterville, County of
Tulare, State of California.

ORIGINAL

Application No. 15,411.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 18th day of February, 1929, asking for authority to construct a spur track at grade across a portion of Grevilla Avenue in the City of Porterville, County of Tulare, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 40) has been granted by the City Council of said City 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 Grevilla Avenue 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 a portion of Grevilla Avenue in the City of Porterville, County of Tulare, State of California, at the location hereinafter particularly described and as shown by the map (marked Exhibit "A") attached to the application.

DESCRIPTION OF CROSSING

Beginning at the point of intersection of the center line of said proposed spur with the east line of Grevilla Avenue, said point being 77.0 feet north of the intersection of said east line of Grevilla Avenue and the north line of County Road; thence in a northwesterly direction, along a 10 degree curve concave southwesterly, 35.0 feet; thence along a reverse 10 degree curve 35.0 feet to a point in the west line of Grevilla Avenue, said point being 87.0 feet north of the south line of Block 5 of Cornwell Addition to said City of Porterville; shown upon said blue print in red.

The above crossing shall be identified as a portion of Crossing No. 2M-59.2.

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. 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 avenue now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding five (5) 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 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 2nd day of March, 1929.

Thos D. Lunt

Chas. S. ...

Leon ...

M. J. ...

Commissioners.