

Decision No. 21007.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construc- tion at grade of a side track across County Road in the vicin- ity of Ivanhoe Station, County of Tulare, State of California.

Application No. 15950.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 16th day of September, 1929, asking for authority to construct a house track at grade across a County Road in the vicinity of Ivanhoe Station, County of Tulare, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution, dated August 24th, 1929) 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 Southern Pacific Company to construct a house track at grade across a County Road in the vicinity of Ivanhoe Station, County of Tulare, State of California, at the location herein-

after particular described and as shown by the map (San Joaquin Div'n. Drawing A-3853) attached to the application.

Description of Crossing

COMMENCING at the south quarter corner of Section 1, Township 18 South, Range 25 East, M.D.B. & M.; thence South $89^{\circ} 58'$ West along the south line of said Section 1, 93 feet to a point; thence South $00^{\circ} 02'$ West 25 feet to an intersection with the south line of public highway to point of beginning of center line of proposed railroad track hereinafter described; thence North $35^{\circ} 20'$ West 31 feet to beginning of curve; thence continuing northwesterly on a circular curve to the left; having a radius of 716.3 feet a distance of 31.5 feet to an intersection with the north line of said public highway to end of center line above described.

The above crossing shall be identified as a portion of Crossing No. BC-249.4.

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 superelevation and of a width of twenty-four (24) feet 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 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 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 20th day of November, 1929.

Paul S. Lott
Ch. Seaver
Frank W. ...

Commissioners.