

Decision No. 24146 .

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 an extension to its corral track at grade across the north half of Pine Street, in the City of Tulare, County of Tulare, State of California.

Application No. 17713.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on October 9th, 1931, applied for authority to construct an extension of its corral track at grade across a portion of Pine Street in the City of Tulare, County of Tulare, State of California. The necessary franchise or permit (Ordinance No. 396) has been granted by the City Council of said City for the construction of said crossing at grade. It appearing that a public hearing is not necessary herein; 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 and that the application should be granted subject to certain conditions,

**IT IS HEREBY ORDERED** that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct an extension of its corral track at grade across a portion of Pine Street in the City of Tulare, County of Tulare, State of California, at the location more particularly described in the application and as shown

by the map (Div. Engr's Drawing No. V-16-259) attached thereto, subject to the following conditions:

- (1) The entire cost of construction of said crossing shall be borne by applicant.
- (2) This order is made upon the express condition that Pine Street is not now actually constructed at the point of crossing and this order shall not be deemed an authorization for the construction of an opening of said street to public use across said track. Said track shall be so constructed that grades of approach not exceeding four (4) per cent will be feasible in the event that the construction of an opening of Pine Street across said track shall hereafter be authorized and so that said grade crossing may be made safe 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 and of its compliance with the conditions hereof.
- (4) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 19<sup>th</sup> day of October, 1931.

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*Leon Whitney*  
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*W. J. Carr*  
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*W. B. Harris*  
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*Fred G. Stewart*  
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 Commissioners.