

Decision No. 10395.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of the application  
of The Atchison, Topeka & Santa Fe  
Railway Company for permission to  
relocate, maintain and operate an  
existing spur track, and to con-  
struct, maintain and operate an  
additional spur track at grade across  
Rocky Hill Drive, east of the City of  
Exeter, County of Tulare, California.

Application No. 7764.

By The Commission:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on April 20, 1922, filed with the Commission an application for permission to relocate an existing spur track and to construct an additional spur track at grade across Rocky Hill Drive, east of the City of Exeter, County of Tulare, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Board of Supervisors of said County of Tulare for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Rocky Hill Drive, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted The Atchison, Topeka and Santa Fe Railway Company to relocate an existing spur track and construct an additional spur track at grade across Rocky Hill Drive, east of the City of Exeter, County

of Tulare, California, described as follows:

RELOCATED TRACK.

Commencing at a point in the south line of Rocky Hill Drive, said point being 25 feet south of the south line of Section 2, T.19 S., R. 26 E., M.D.M., and 27 feet east of the center line of the main track of the Minkler Southern Railway, thence northwesterly on a curve concave to the left, having a radius of 603.80 feet, 50 feet to a point in the north line of Rocky Hill Drive, distant 24.93 feet east of said main track.

NEW TRACK.

Commencing at a point in the south line of Rocky Hill Drive, said point being 25 feet south of the south line of Section 2, T. 19 S., R. 26 E., M.D.M., and 14 feet east of the center line of the main track of the Minkler Southern Railway, thence northerly parallel to said main track, on a curve concave to the right, having a radius of 11445.2 feet, 50 feet to a point in the north line of said Rocky Hill Drive,

all of the above as shown by the map attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to that portion of Rocky Hill Drive now graded, with grades of approach not exceeding four (4) per cent; shall be protected by a suitable crossing sign and shall in every way 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 crossings.

(4) The authorization herein granted for the installation of said crossings shall lapse and become void one year from the date of this order 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 crossings 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.

Dated at San Francisco, California, this 2<sup>nd</sup> day of May ~~1922~~  
1922.

H. B. Brundage

James Martin

Charles H. Brown

W. H. Benedict

Commissioners.