

Decision No. 11125

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of The Atchison, Topeka & Santa Fe Railway Company for permission to construct a spur track at grade across South East Street in the City of Visalia, County of Tulare, State of California.

)  
Application No. 8316.  
)

BY THE COMMISSION:

ORDER

The Atchison, Topeka & Santa Fe Railway Company, a corporation, having on October 7, 1922, filed with the Commission an application for permission to construct a spur track at grade across South East Street, in the City of Visalia, 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 Trustees of said City of Visalia for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said South East Street, 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 construct a spur track at grade across South East Street in the City of Visalia, County of Tulare, State of California, described as follows:

COMMENCING at a point in the center of The Atchison Topeka and Santa Fe Railway Company's main track, said point being distant 1460.6 feet south of the south line of E. Mineral King Avenue, and 33 feet west of the east line of S. East Street, thence northeasterly on a curve to the right having a radius of 942.29 feet, a distance of 86.17 feet, thence on a curve to the right having a radius of 459.28 feet, a distance of 118.66 feet to the east line of S. East Street,

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

(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 of a width and type of construction to conform to that portion of South East Street 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 crossing.

(4) The authorization herein granted for the installation of said crossing 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 crossing as to it may seem right and proper,  
and to revoke its permission if, in its judgment, the public con-  
venience and necessity demand such action.

Dated at San Francisco, California, this 18<sup>th</sup> day of  
October, 1922.

*Irving Martin*  
*Charles J. Force*  
*W. J. Woodruff*

Commissioners.