

Decision No. 296

ORIGINAL

In the matter of the application of Southern Pacific Company, a corporation, for permission to construct a drill track at grade across Olive Avenue in the City of Porterville, Tulare County, California.

Application No. 265.

ORDER

By the Commission.

Southern Pacific Company, a corporation, having on October 18, 1912, filed with the Commission its application for permission to construct a drill track at grade across Olive Avenue in the City of Porterville, Tulare County, California, as hereinafter indicated; and it appearing to the Commission that this is not a case in which a public hearing is necessary, that applicant has secured the necessary franchise or permit from the Board of Trustees of the City of Porterville for the construction of said drill track at grade; and it further appearing to the Commission that it is not reasonable nor practicable to avoid a grade crossing at the proposed point of crossing with Olive Avenue, and that said application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED that permission be hereby granted Southern Pacific Company to construct a drill track at grade across Olive Avenue in the City of Porterville, Tulare County, California, between "D" Street and "E" Street, as shown by the map attached to the application, and subject to the following conditions, viz:

- (1) The entire expense of constructing said crossing together with the cost of its maintenance hereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.
(2) Applicant shall provide the necessary guard-rails or plank for the construction of said crossing and shall ballast same with first-class gravel or broken stone to a depth of not less than six (6) inches. Said crossing shall be constructed of an effective width of not less than forty-eight (48) feet.

(3) 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.

Dated at San Francisco, California, this 21st day of October, 1912.

John M. Eschleman

H. D. Lovelace

W. L. Gordon

Commissioners.