

ORIGINAL

Decision No. 3582

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
MINKLER SOUTHERN RAILWAY COMPANY)
for permission to construct its tracks) Application No. 2492.
at grade across Certain County Roads)
south of Lindsay, Tulare County,)
California.)
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By the Commission,

O R D E R.

MINKLER SOUTHERN RAILWAY COMPANY, a corporation, having on August 9, 1916, filed with the Commission an application for permission to construct its tracks at grade across certain county roads south of Lindsay in 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 the proposed crossings are not within the limits of an incorporated town or city and no franchise is needed 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 county roads, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted Minkler Southern Railway Company to construct its tracks at grade across certain county roads south of Lindsay, Tulare County, California, described as follows:

"Crossing No. 1-

That certain highway running along the W. line of Sec. 17, T. 20 S., R. 27 E., M.D.B. & M., at a point approximately 969' S. of the N.W. corner of said Section.

Crossing No. 2-

That certain highway running along the W. line of

the N.E. 1/4 of Sec. 17, T. 20 S., R. 27 E., M.D.B. & M., at a point approximately 441' N. of the center of said Section.

Crossing No. 3-

That certain highway running along the N. line of the S.E. 1/4 of Sec. 17, T. 20 S., R. 27 E., M.D.B. & M., at a point approximately 1445' west of the N.E. corner of said 1/4 Section.

Crossing No. 4-

That certain highway running along the E. line of the N.E. 1/4 of the S.E. 1/4 of Section 17, T. 20 S., R. 27 E., M.D.B. & M., at a point approximately 38' S. of the N.E. corner of said N.W. 1/4 of the S.E. 1/4 of said Section.

Crossing No. 5-

S That certain highway running along the E. line of Section 17, T. 20 E., R. 27 E., M.D.B. & M., at a point approximately 525 feet S. of the N.E. corner of the S.E. 1/4 of said Section.

Crossing No. 6-

That certain highway running along the E. line of the S.E. 1/4 of Sec. 16, T. 20 S., R. 27 E., M.D.B. & M., at a point approximately 610 feet S. of the N.E. corner of said 1/4 Section.

Crossing No. 7-

That certain highway running along the east line of the S.E. quarter of Sec. 16, T. 20 S., R. 27 E., M.D.B. & M., at a point approximately 917' S. of the N.E. corner of said 1/4 Section.

Crossing No. 8-

That certain highway running along the south line of the S.W. quarter of Section 15, T. 20 S., R. 27 E., M.D.B. & M., at a point approximately 724' W. of the S.E. corner of said 1/4 Sec.

Crossing No. 9-

That certain highway running along the N. line of the S. 1/2 of Sec. 22, T. 20 S., R. 27 E., M.D.B. & M. at a point 50' east of the center of said Section.

Crossing No. 10-

That certain highway running along the S. line of Section 22, T. 20 S., R. 27 E., M.D.B. & M., at a point 50' E. of the S.W. corner of the S.E. 1/4 of said Section.

Crossing No. 11-

That certain highway running along the S. line of Section 27, T. 20 S., R. 27 E., M.D.B. & M., at a point

approximately 33' east of the S.W. corner of the S.E. quarter of said Section.

Crossing No. 12-

That certain highway running along the S. line of the N. 1/2 of Sec. 34, T. 20 S., R. 27 E., M.D.B. & M., at a point 50' east of the S.W. corner of the N.E. 1/4 of said Section.

Crossing No. 13-

That certain highway running along the S. side of the N. 1/2 of the N.E. 1/4 of Sec. 3, T. 21 S., R. 27 E., M.D.B. & M. at a point approximately 80' E. of the S.W. corner of the N.E. 1/4 of the N.E. 1/4 of said section.

Crossing No. 14-

That certain highway running along the S. line of the N. 1/2 of Section 3, T. 21 S., R. 27 E., M.D.B. & M., at a point approximately 733' east of the S.W. corner of the N.E. 1/4 of said section.

Crossing No. 15-

That certain highway running along the S. line of Sec. 3, T. 21 S., R. 27 E., M.D.B. & M. at a point approximately 720' east of the S.W. corner of the S.E. 1/4 of said Section.

Crossing No. 16-

That certain highway running along the N. line of the S. 1/2 of the S.W. 1/4 of the N.E. 1/4 of Section 10, T. 21 S., R. 27 E., M.D.B. & M. at a point approximately 50' east of the N.W. corner of the S.E. 1/4 of the S.W. 1/4 of the N.E. 1/4 of said Section.

Crossing No. 101-

That certain highway running along the E. line of Section 22, T. 20 S., R. 27 E., M.D.B. & M. at a point approximately 50' N. of the S.E. corner of said section.

Crossing No. 102-

That certain highway running along the W. line of Section 34, T. 20 S., R. 27 E., M.D.B. & M., at a point approximately 1270' S. of the N.W. corner of said Section.

Crossing No. 103-

That certain highway running along the W. line of the E. 1/2 of Sec. 33, T. 20 S., R. 27 E., M.D.B. & M., at a point approximately 1270' S. of the N.W. corner of the N.E. 1/4 of said Section."

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 those portions of the County road to be crossed now graded, with grades of approach not exceeding four (4) per cent, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Crossings numbers one, three and five shall be protected by first-class automatic flagmen of a type approved by the Commission. The expense of installing these flagmen and the expense of their maintenance thereafter shall be borne by the applicant. Applicant shall, at its own expense, install suitable crossing signs at all other crossings.

(4) Crossing number four shall be lawfully closed for public travel.

(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 18th day
August, 1916.

Max Thelen
Alex Gordon
Edwin O. Edgerton