

ORIGINAL

Decision No. 4339

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of SOUTHERN PACIFIC COMPANY for permission to construct a spur track at grade across a county road in the Town of Jacobs, Tulare County, California.

Application No. 2943.

By the Commission.

O R D E R

SOUTHERN PACIFIC COMPANY, a corporation, having on May 21, 1917, filed with the Commission an application for permission to construct a spur track at grade across a county road in the Town of Jacobs, 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 crossing is not within the limits of an incorporated town or city and no franchise is needed 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 county road, and that this 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 spur track at grade across a county road in the Town of Jacobs, Tulare County, California, described as follows:

"Beginning at a point in the easterly line of the county road between Sections 25 and 26, T-18-S, R-24-E,

MDB&M, said point lying north 19 feet, more or less, from Engineer Station 250.36, said Eng. Station being a point in the center line of the S.P.R.R.Co. main Visalia Branch Line; thence in a westerly direction 60 feet, more or less to an intersection with the westerly boundary line of said County Road, North 25 feet more or less from the aforesaid center line of the S.P.R.R.Co. Visalia Branch Line."

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 the county road 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) 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 24<sup>th</sup> day of May, 1917.

H. H. Rowland

Edwin O. Edgerton

Frank R. White

Commissioners.

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