

ORIGINAL

Decision No. _____.

Decision No. 5578

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of an application of THE PEOPLE OF THE STATE OF CALIFORNIA on relation of the DEPARTMENT OF ENGINEERING for an order authorizing construction of a state highway crossing at grade over the tracks of the SOUTHERN PACIFIC COMPANY, a corporation, between Tipton and Octol, Tulare County, California.

Application No. 3778.

By the Commission.

ORDER

THE PEOPLE OF THE STATE OF CALIFORNIA on relation of the DEPARTMENT OF ENGINEERING of said State, having on May 24, 1918, filed with the Commission an application for permission to construct a state highway crossing at grade over the tracks of the Southern Pacific Company, a corporation, between Tipton and Octol, 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 required for its construction at grade; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing over the tracks of said railroad and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That the People of the State of California on relation of the Department of Engineering of said

State be hereby permitted to construct a state highway crossing at grade over the tracks of the said Southern Pacific Company, a corporation, between Tipton and Octol, Tulare County, California, as shown by the map attached to the application and marked "Exhibit A"; said crossing to be constructed subject to the following conditions, viz.:

(1) The entire expense of constructing the crossing shall be borne by applicant. 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, except for that portion between the rails and two (2) feet outside thereof, which shall be borne by the Southern Pacific Company.

(2) Said crossing shall be constructed of a width and type to conform to that portion of the highway 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 15th day of July, 1918.

Edwin O. Egerton
H. S. Loveland
W. F. Johnson
Frank R. White
Commissioners.