

Decision No. 6352

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
the COUNTY OF TULARE for permission to)
construct a crossing of a public high-)
way over a railroad of the Visalia)
Electric Railroad Company on the West)
line of Section 35, Township 17 South,)
Range 26 East, Mt. Diablo Base and)
Meridian, near Woodlake.)

Application No. 4467.

W. W. Middlecoff, Deputy District Attorney,
for applicant.

MARTIN, Commissioner.

O P I N I O N

On March 27, 1919, the County of Tulare filed with the Commission an application for permission to construct a crossing at grade over the tracks of the Visalia Electric Railroad Company on the West line of Section 35, Township 17 South, Range 26 East, Mt. Diablo Base & Meridian, near the Town of Woodlake, County of Tulare, State of California. On May 13, 1919, a public hearing was held at Visalia.

The crossing in question is located on a north and south road running from the east and west county road on the south side of Sections 34 and 35 to the paved county highway from Visalia to Woodlake, which runs along the northerly line of these two sections. If this crossing is granted, the north and south road above-mentioned will allow the residents of this section of the country, residing in Sections 34 and 35 and the two sections immediately south, a short connection to the main county highway running to Visalia and will also serve as a means of access to the Atchison, Topeka and Santa Fe Rail-

way Company's station of Redbanks, which is located on the east side of Section 34 and very close to the proposed crossing. Without this crossing it is necessary, at the present time, for these people to travel either one mile west, one mile north and one mile east, or vice versa, to reach this station. The Commission is in receipt of a letter from the attorneys of the Visalia Electric Railroad Company stating that the Company has no objection to the granting of this crossing. A field inspection shows that the crossing is located in a flat, open country and that no protection will be necessary for the crossing outside of the usual standard crossing sign.

I recommend the following form of order.

O R D E R

COUNTY OF TULARE having applied to the Commission for permission to construct a crossing at grade over the right of way and tracks of the Visalia Electric Railroad Company on the West line of Section 35, Township 17 South, Range 26 East, Mt. Diablo Base and Meridian, near the Town of Woodlake, County of Tulare, State of California, as shown by the map attached to the application; a public hearing having been held, and the Commission being fully apprised in the premises:

IT IS HEREBY ORDERED, That permission be and the same is hereby granted the COUNTY OF TULARE to construct a crossing at grade over the right of way and tracks of the Visalia Electric Railroad Company on the West line of Section 35, Township 17 South, Range 26 East, Mt. Diablo Base and Meridian, near the Town of Woodlake, County of Tulare, State of California, as shown by the map attached to the application; said crossing to be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing applied for, with necessary cattleguards and wing fences, shall be borne by the applicant. The cost of maintenance of said crossing in good and first-class condition for the safe and convenient use of the public shall be borne by the applicant, except for that portion between the rails and two (2) feet outside thereof, which shall be borne by the Visalia Electric Railroad Company.

(2) Said crossing shall be constructed of a width of not less than twenty-four (24) feet, with grades of approach not to exceed two (2) 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.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 23rd day of May, 1919.

Edwin O. Egey

H. A. [unclear]

Waring [unclear]

Commissioners.