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ORIGINAL

Decision No. 8823.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of)
 the County of Tulare for permission)
 to construct a crossing of a public)
 highway over a railroad of the South-)
 ern Pacific Company and the Southern)
 Pacific Railroad Company, on the North)
 line of Section 32, in Township 22)
 South, Range 25 East, Mt. Diablo Base)
 and Meridian, about one-half mile)
 North of the Town of Pixley.)

Application No. 6576.

By the Commission,

ORDER

The Board of Supervisors of the County of Tulare, State of California, having on February 21, 1921, filed with the Commission an application for permission to construct a public road at grade across the tracks of Southern Pacific Company and Southern Pacific Railroad Company in said County, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said tracks, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be hereby granted the Board of Supervisors of the County of Tulare, State of California, to construct a road at grade across the tracks of the Southern Pacific and Southern Pacific Railroad Company des-

cribed as follows, to-wit:

COMMENCING at a point 293.62 feet West of the Northeast corner of the Northwest quarter of Section 32, in Township 22 South, Range 25 East, Mt. Diablo Base and Meridian; thence running South 10 degrees 35 minutes East, 20.35 feet; thence West 183.11 feet; thence North 10 degrees 35 minutes West, 20.35 feet; thence East 50.86 feet; thence North 10 degrees 35 minutes West, 20.35 feet; thence East 101.73 feet; thence South 10 degrees 35 minutes East, 20.35 feet; thence East 30.52 feet to the point of beginning.

said crossing to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossing shall be borne by the applicant. The cost of its maintenance up to a line two (2) feet outside the rails shall be borne by the applicant. The maintenance of that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty four (24) feet and at an angle of approximately seventy-nine (79) degrees to the railroad and with grade of approach not greater than four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) The eucalyptus tree on the northeast corner of the crossing shall be removed at the expense of applicant.

(4) Applicant shall, in writing, notify this Commission of the completion of the installation of said crossing within thirty (30) days thereof.

(5) The installation of said crossing shall be made within one year from the date of this order unless further time is granted by subsequent order herein, and unless so completed within the time specified, the authorization herein granted shall lapse and become void.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as 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 8th day of April, 1921.

Frank R. Denny
H. D. Loveland
H. F. Burdige
James Martin
Charles H. Powell

Commissioners.