

Decision No. 9/37.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of the)
Board of Supervisors of the County of)
Tulare, State of California, for per-)
mission to construct a public road at)
grade across the track of the Visalia)
Electric Railroad Company in the North-)
west quarter of Section 2, Township 18)
South, Range 27 East, Mt. Diablo Base)
and Meridian, near the Town of Lemon)
Cove.)

Application No. 6678.

By the Commission:

O R D E R

The Board of Supervisors of the County of Tulare, State of California, having on March 24, 1921, filed with the Commission an application for permission to construct a public road at grade across the track of the Visalia Electric 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 Visalia Electric Railroad 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 a grade crossing with said track, 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 track of the Visalia Electric Railroad Company, said road being located on a 60 foot strip across the right of way of the Visalia Electric Railroad Company, the center line of which is more particularly described as

follows, to wit:-

Commencing at the North quarter corner of Section 2, in Township 18 South, Range 27 East, Mt. Diablo Base and Meridian; thence running South 195.5 feet; thence South 46 degrees 51 minutes West, 1289.4 feet; thence South 56 degrees 18' minutes West, 370.3 feet; thence North 45 degrees 44 minutes West, 13.6 feet to the point of beginning; thence North 45 degrees 44 minutes West, 45.5 feet to a point ,

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 Visalia Electric Railroad Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) 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) Visalia Electric Railroad Company shall install and maintain an automatic flagman of a type approved by the Commission. The cost of installing said automatic flagman shall be borne by the applicant, and the cost of maintaining said automatic flagman shall be borne by the Visalia Electric Railroad Company.

(4) Applicant shall close and abandon the existing crossing, located approximately 780 feet northeasterly from the location of the new crossing above described.

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

(6) The authorization herein granted for the installation of said

crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(7) 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 23^d day of June, 1921.

W. B. Blanding
H. D. Loveland
Dwight Martin

Commissioners.