

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of Southern Pacific Company for permission to construct industrial drill and spur tracks at grade across various streets in the City of Dinuba, and at grade across County Road No. 523, in the County of Tulare, California.

Application No. 6914

By the Commission:

O R D E R

Southern Pacific Company, a corporation, having on June 13, 1921, filed with the Commission an application for permission to construct an industrial drill track and spur tracks at grade across County Road No. 106, (sometimes known as Alta Avenue) "N" Street, Merced Street, public alley through Block No. 54, Fresno Street, Tulare Street, Kern Street, Ventura Street, Inyo Street, and public alley through Block No. 60, in the City of Dinuba; and also across County Road No. 523 in the County of Tulare, State of 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 necessary franchise or permit has been granted by the Board of Trustees of the City of Dinuba for the construction of said crossings at grade, located in the city of Dinuba; that the necessary permit be granted by County of Tulare for the construction of said track at grade across County Road No. 523; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said streets and 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 an industrial drill track and spur tracks at grade across County Road No. 106 (sometimes known as

Alta Avenue) "Y" Street, Merced Street, public alley through Block No. 54, Fresno Street, Tulare Street, Kern Street, Ventura Street, Inyo Street, and public alley through Block No. 60, in the city of Dinuba; and also across County Road No. 523 in the County of Tulare, State of California, described as follows:

COMMENCING at a point in "Y" Street as shown on map of the town of Dinuba, Tulare County, California, NW $\frac{1}{2}$  and N $\frac{1}{2}$  of SW $\frac{1}{2}$  of Section 17, Township 16 South, Range 24 East, Mount Diablo Base and Meridian, on line of the Fresno Division SPPR, surveyed May 1888, Filed November 9, 1888, and recorded on page 15 of volume 3 of Maps of Tulare County, California, said point being thirty and no-10 (30.0) feet distant, east measured at right angles from a second point on the west line of Section 17, said Township and Range. Said second point being sixteen hundred ten and 7-10 (1610.7) feet measured south along said west line of Section 17, from the northwest corner of said Section 17. Above described first point being located in center line of proposed Industry track and initial point of said Industry spur; thence from first described point to the left in a southeasterly direction, following a curve with a radius of four hundred fifty eight and 59-100 (458.59) feet, for a distance of twenty seven and 8-10 (27.8) feet to a point on the southwesterly line of "Y" Street, said point being distant sixty nine and no-10 (69.0) feet measured northwesterly along the said southwesterly line of "Y" Street from the Northwesterly line of Merced Street as shown on said map of the town of Dinuba; thence continuing to the left in a southeasterly direction, following a curve with a radius of four hundred fifty eight and 59-100 (458.59) feet, across private property a distance of eighty-two and 9-10 (82.9) feet to a point on the northwesterly line of Merced Street, said point being distant forty five and 8-10 (45.8) feet, measured southwesterly along said northwesterly line of Merced Street from the southwesterly line of "Y" Street; thence continuing to the left in a southeasterly direction, following a curve with a radius of four hundred fifty eight and 59-100 (458.59) feet, a distance of eighty seven and no-10 (87.0) feet, to a point on the southeasterly line of Merced Street said point being distant seventy nine and 7-10 (79.7) feet, measured southwesterly along said southeasterly line of Merced Street from the southwesterly line of "Y" Street; thence entering private property: also;

COMMENCING at a point in "Y" Street as shown on map of the town of Dinuba, Tulare County, California, NW $\frac{1}{2}$  and N $\frac{1}{2}$  of SW $\frac{1}{2}$ , Section 17, Township 16 South, Range 24 East, Mount Diablo Base and Meridian, surveyed May 1888, filed November 9, 1888 and recorded on page 15 of Volume 3 of maps of Tulare County, California, said

point being ten and no-10 (10.0) feet distant east, measured at right angles from a second point on the south line of the town of Dinuba, said line being an east and west line through the center of the Southwest quarter (SW $\frac{1}{4}$ ) of said section 17. Said second point being four hundred twenty four and 5-10 (424.5) feet measured west along said east and west line through the center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17 from its intersection with the north and south line through the center of said section 17. Above described first point being located in center line of proposed Industry Track and initial point of said industrial spur; thence from first described point to the right in a northwesterly direction, following a curve with a radius of four hundred fifty eight and 59-100 (458.59) feet, for a distance of forty nine and no-10 (49.0) feet to a point on the southwesterly line of "Y" Street, said point being distant one hundred eighty and 4-10 (180.4) feet, measured southwesterly along the said southwesterly line of "Y" Street from the southeasterly line of Inyo Street, as shown on said map of the town of Dinuba; thence continuing to the right in a northwesterly direction following a curve with a radius of four hundred fifty eight and 59-100 (458.59) feet, across private property, for a distance of sixteen and 3-10 (16.3) feet to a point, thence northwesterly tangent to last described curve, continuing across private property, a distance of ninety six and no-10 (96.0) feet to a point; thence to the left in a northwesterly direction, following a curve with a radius of seven hundred sixty four and 8-100 (764.08) feet, continuing across private property, a distance of one hundred eight and 9-10 (108.9) feet to a point thirty six (36) feet north of and measured at right angles to said east and west line through the center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17, Thence tangent west, parallel and thirty-six (36) feet north of said east and west line through the center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17. Continuing across private property, a distance of twelve and 8-10 (12.8) feet to a point on the northwesterly line of Public Alley through Block 60 as shown on said map of the town of Dinuba, thence tangent west, parallel and thirty-six (36) feet north of said east and west line through the center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17, a distance of three and 7-10 (3.7) feet to a point on the southeasterly line of Inyo Street, said point being distant one hundred fifty two and 9-10 (152.9) feet, measured southwesterly along said southeasterly line of Inyo Street, from the southwesterly line of "Y" Street, thence tangent west, parallel and thirty six-(36) feet north of said east and west line through the center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17, a distance of thirty three and 5-10 (33.5) feet to a point in Inyo Street, thence to the right in a Northwesterly direction, following a curve with a radius of four hundred fifty one and 68-100 (451.68) feet, a distance of seventy-five and no-10 (75.0) feet to a point on the northwesterly

line of Inyo Street, said point being distant two hundred twenty five and 9-10 (225.9) feet, measured southwesterly along said northwesterly line of Inyo Street from the southwesterly line of "N" Street, thence continuing to the right in a northwesterly direction, following a curve with a radius of four hundred fifty one and 68-100 (451.68) feet, across a strip or parcel of land of uniform width of fifty six (56) feet, lying adjacent and north of said east and west line through the center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17, extending from the northwesterly line of Inyo Street to the northeasterly line of "O" Street, as shown on said map of the town of Dinuba, a distance of eighty-four and 1-10 (84.1) feet to a point fifty six and no-10 (56.0) feet measured north at right angles from said east and west line through the center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17; also:

COMMENCING at a point twenty and no-10 (20.0) feet west of and measured at right angles to a second point on the east line of Section 18, Township 16 South, Range 24 East, Mount Diablo Base and Meridian, said second point being twelve hundred thirty and no-100 (1230) feet measured south along said east line of section 18, from the northeast corner of said section 18; thence from first described point to the right in a southeasterly direction, following a curve with a radius of five hundred seventy three and 14-100 (573.14) feet, for a distance of one hundred thirty three and 9-10 (133.9) feet, to a point twenty and no-10 (20.0) feet east of and measured at right angles to a second point on the east line of said section 18. Said second point being thirteen hundred fifty seven and 5-10 (1357.5) feet measured south along said east line of section 18, from the said northeast corner of section 18. Above described line crosses a public highway known officially as County Road number 106, and unofficially as Alta Avenue, said highway opened as County Road by act of Board of Supervisors of Tulare County, January 5, 1888. No width. Thence continuing to the right in a southeasterly direction, following a curve with a radius of five hundred seventy three and 14-100 (573.14) feet, across private property, for a distance of one hundred seven and 2-10 (107.2) feet to a point thirty (30) feet distant measured east at right angles from the said east line of section 18; thence tangent south, parallel and thirty (30) feet east of said east line of section 18 a distance of fifty six and 5-10 (56.5) feet to a point on the northeasterly line of "N" Street as shown on map of the town of Dinuba, Tulare County, California, NW $\frac{1}{4}$  and NE $\frac{1}{4}$  of SW $\frac{1}{4}$  section 17, Township 16 south, Range 24 east, Mount Diablo Base and Meridian on line of the Fresno Division SPRR surveyed May 1888, filed November 9, 1888 and recorded on Page 15 of volume 3 of maps of Tulare County California, said point being distant one hundred fifty nine and 2-10 (159.2) feet measured northwesterly along the northeasterly line of "N" Street from the northwesterly line of Merced Street as shown on said map of the town of Dinuba; thence tangent south, parallel and thirty (30) feet east of said east line of section 18 a distance of one hundred nineteen and no 10 (119.0) feet to a point on the southwesterly line of "N" Street.

said point being distant seventy one and 1-10 (71.1) feet measured northwesterly along the southwesterly line of "N" street from the northwesterly line of Merced Street, thence tangent south, parallel and thirty (30) feet east of said east line of section 18, across private property, for a distance of ninety six and 1-10 (96.1) feet to a point on the northwesterly line of Merced Street said point being distant sixty-four and 6-10 (64.6) feet measured southwesterly along the said northwesterly line of Merced Street from the southwesterly line of "N" Street; thence tangent, south, parallel and thirty (30) feet east of said east line of section 18 a distance of one hundred eight and no-10 (108.0) feet to a point on the southeasterly line of Merced Street, said point being distant one hundred thirty seven and 2-10 (137.2) feet measured southwesterly along the said southeasterly line of Merced Street from the southwesterly line of "N" Street; thence tangent, south, parallel and thirty (30) feet east of said east line of section 18, across private property, a distance of nineteen and no-10 (19.0) feet to a point on northeasterly line of the public alley through Block 54 as shown on said map of the town of Dinuba; thence tangent, south, parallel and thirty (30) feet east of said east line of Section 18, a distance of twenty nine and 8-10 (29.8) feet, to a point on the southwesterly line of said public alley through said Block 54, thence tangent, south, parallel and thirty (30) feet east of said east line of section 18, across private property, a distance of sixty-eight and no-10 (68.0) feet to a point; thence to the left in a southeasterly direction following a curve with a radius of four hundred seventy seven and 68-100 (477.68) feet, for a distance of two hundred thirteen and 3-10 (213.3) feet to a point on the northeasterly line of "O" Street as shown on said map of the town of Dinuba, said point being distant one hundred twenty-eight and 7-10 (128.7) feet, measured northwesterly along the northeasterly line of "O" Street from the northwesterly line of Fresno Street, as shown on said map of the town of Dinuba; thence continuing to the left in a southeasterly direction, following a curve with a radius of four hundred seventy-seven and 68-100 (477.68) feet, a distance of one hundred thirty eight and 7-10 (138.7) feet to a point twenty (20) feet southwesterly from the northwesterly line of "O" Street and eight and 1-10 (8.1) feet, southeasterly measured at right angles from the northwesterly line of Fresno Street produced; thence tangent southeasterly parallel and twenty (20) feet southwesterly from the northeasterly line of "O" Street, a distance of twenty one hundred twenty four and no-10 (2124.0) feet to a point six hundred twelve and 1-10 (612.1) feet southeasterly measured southeasterly along last described line from its intersection with the southeasterly line of Ventura Street produced as shown on said map of the town of Dinuba; thence to the left in a southeasterly direction, following a curve with a radius of four hundred seventy seven and 68-100 (477.68) feet a distance of one hundred thirty eight and seven-10 (138.7) feet to a point on the northeasterly line of "O" Street, distant seven hundred forty eight and 9-10 (748.9) feet measured southeasterly along said northeasterly line of "O" Street from the southeasterly line of Ventura Street; thence continuing to the left in a southeasterly direction following a curve with a radius of four hundred

seventy seven and 68-100 (477.68) feet across private property a distance of fifteen and 8-10 (15.8) feet to a point fifty six (56) feet measured at right angles north from the south boundary line of the town of Dinuba as shown on said map of the town of Dinuba, said line being an east and west line through the center of the southwest quarter (SW<sub>4</sub>) of said section 17; thence continuing to the left in a southeasterly direction, following a curve with a radius of four hundred seventy seven and 68-100 (477.68) feet, across a strip or parcel of land of uniform width of fifty six (56) feet, lying adjacent and north of said south line of the town of Dinuba, extending from the northeasterly line of "O" Street to the northwesterly line of Inyo Street, as shown on said map of the town of Dinuba, a distance of one hundred twenty nine and 5-10 (129.5) feet to a point on the northwesterly line of Inyo Street. Above described strip or parcel of land deeded to City of Dinuba, a body corporate by the California Associated Raisin Company, a corporation, for street purposes July 7, 1920, and deed filed for record in Volume 290 of deeds at page 56. Tulare County Records. Said last described point being distant two hundred fifty seven and 8-10 (257.8) feet measured southwesterly along the northwesterly line of Inyo Street from the southwesterly line of "Y" Street; thence continuing to the left in a southeasterly direction following a curve with a radius of four hundred seventy seven and 68-100 (477.68) feet, a distance of ninety eight and 4-10 (98.4) feet, to a point in Inyo Street and ten (10) feet north of and measured at right angles to the said south line of town of Dinuba; thence tangent east, parallel and ten (10) feet north of said south line of the town of Dinuba, a distance of seven and 9-10 (7.9) feet to a point on the southeasterly line of Inyo Street, a distance of one hundred ninety one and 2-10 (191.2) feet, measured southwesterly along the said southeasterly line of Inyo Street from the southwesterly line of "Y" Street; thence tangent east, parallel and ten (10) feet north of said south line of the town of Dinuba, across private property, a distance of twenty seven and 8-10 (27.8) feet to a point on the southwesterly line of the public alley through Block 60 as shown on said map of the town of Dinuba; thence tangent east, parallel and ten (10) feet north of said south line of town of Dinuba, a distance of twenty seven and 8-10 (27.8) feet to a point on the northeasterly line of said Public alley through said Block 60, thence tangent east, parallel and ten (10) feet north of said south line of the town of Dinuba, across private property, a distance of two hundred eight and 6-10 (208.6) feet to a point on the southwesterly line of "X" Street, distant one hundred eighty four and no-10-(184.0) feet measured southeasterly along the said southwesterly line of "X" Street from the southeasterly line of Inyo Street; thence tangent east, parallel and ten (10) feet north of said south line of town of Dinuba, a distance of one hundred eleven and 3-10 (111.3) feet to a point on the northeasterly line of "X" Street, distant two hundred sixty one and 7-10 (261.7) feet, measured

southeasterly along the said northeasterly line of "Y" Street from the southeasterly line of Inyo Street; thence tangent east, parallel and ten (10) feet north of said south line of town of Dinuba, across private property a distance of forty three and 8-10 (43.8) feet to a point, thence to the right in a southeasterly direction following a curve with a radius of four hundred seventy seven and 68-100 (477.68) feet, a distance of ninety seven and 7-10 (97.7) feet to a point on the south line of the town of Dinuba, distant two hundred eighteen and 3-10 (218.3) feet measured west along said south line of town of Dinuba from its intersection with a north and south line through the center of said section 17; thence continuing across private property:

All of the above being located in the City of Dinuba, County of Tulare, State of California. Also,

COMMENCING at a point on the west line of County Road No. 523 of Public Record of Tulare County, California, said point being twenty and 0-10 (20.0) feet measured west at right angles from a second point on the north and south line through the center of section 17, Township 16 South, Range 24 East, M.D.B. & M. Said second point being ninety three and 9-10 (93.9) feet measured south along said north and south line through section 17, from its intersection with an east and west line through center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17; thence to the right in a southeasterly direction, following a curve with a radius of Four hundred seventy seven and 68-100 (477.68) feet, a distance of seven and 6-10 (7.6) feet to a point in said County Road No. 523, said point being fourteen and 3-10 (14.3) feet measured west at right angles from a second point on said north and south line through the center of section 17. Said second point being ninety-eight and 9-10 (98.9) feet measured south along said north and south line through center of section 17, from its intersection with said east and west line through center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17; thence tangent southeasterly a distance of forty-five and 6-10 (45.6) feet to a point on the east line of said county road No. 523, said point being twenty and no-10 (20.0) feet measured east at right angles from a second point on said north and south line through the center of section 17. Said second point being one hundred twenty-nine and 16-10 (129.1) feet, measured south along said north and south line through the center of section 17 from its intersection with said east and west line through center of the southwest quarter (SW $\frac{1}{4}$ ) of section 17, thence entering private property.

The above being in the unincorporated portion of the County of Tulare, in the State of California.

All of the above as shown by the map attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of County Road No. 106, (sometimes known as Alta Avenue) "Y" Street, Merced Street, Public Alley through Block 54, Fresno Street, Tulare Street, Kern Street, Ventura Street, Inyo Street, Public Alley through Block 60 and County Road No. 523, now graded, with grades of approach not exceeding two (2) per cent; shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

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

(4) 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.

(5) The Commission reserves the right to make such further order relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper, and to revoke its permission if, in its judgement, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 15<sup>th</sup> day of August, 1921.

H. B. Brundage

Quincy W. Martin  
Charles J. Farnell  
W. S. Jernigan  
Commissioners