

Decision No. 27005.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of THE ATCHISON, TOPEKA AND SANTA FE  
RAILWAY COMPANY, a corporation, for  
authority to lay down, construct,  
operate and maintain a spur track  
at grade across Prosperity Avenue,  
near Imhoff, Tulare County, Cali-  
fornia.

Application No. 19378.

**RECORDED**  
**INDEXED**

BY THE COMMISSION:

C R D E R

The Atchison, Topcka and Santa Fe Railway Company, a corporation, on March 30, 1934, applied for authority to construct a spur track at grade across Prosperity Avenue in the vicinity of Imhoff, County of Tulare, State of California. The necessary franchise or permit has been granted by the Board of Supervisors of said County for the construction of said crossing at grade.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned and that the application should be granted,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct a spur track at grade across Prosperity Avenue in the vicinity of Imhoff, County of Tulare, State of California, at the location more particularly described in the application and as shown by the map (Div. Engr's Drawing No. V-16-278) attached thereto, subject to the following conditions:

- (1) The above crossing of Prosperity Avenue shall be identified as Crossing No. 2V-17.3-C.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne by applicant.
- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2 in our General Order No. 72; shall be constructed of a width to conform to that portion of said avenue now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding three (3) per cent; and shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75-1.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (5) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (6) 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day of April, 1934.

C. L. Leary  
Leon Whitell  
M. A. Lane  
M. B. Harris  
M. S. Harris

Commissioners.