

ORIGINAL

Decision No. 27304.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the County of Tulare for an Order authorizing the establishment of a grade crossing over the tracks of the Southern Pacific Company, as successor in interest to the Porterville Northeastern Railway Company, at a point where Melrose Avenue intersects the aforesaid Southern Pacific Company's tracks on the east line of Section 36, Township 21, South, Range 27 East, Mount Diablo Base and Meridian.

Application No. 19503.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Tulare, State of California, on June 25, 1934, applied for authority to construct a public road known as Melrose Avenue at grade across the track of Southern Pacific, in the vicinity of the City of Porterville. Southern Pacific Company, on August 3, 1934, signified, in writing, that it has no objection to 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 with said track at the point mentioned; and that the application should be granted,

IT IS HEREBY ORDERED that the Board of Supervisors of the County of Tulare, State of California, is hereby authorized to construct Melrose Avenue at grade across the track of Southern Pacific Company, at the location more particularly described in the application and as shown by the maps attached thereto, subject to the

following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. BAI-276.2.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.
- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet and equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by a Standard No. 1 Crossing Sign, as specified in our General Order No. 75-A, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (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 27th day of August, 1934.

Leon C. Whalley

W. A. Carr

M. B. Lewis

W. S. McNamee

Commissioners.