

ORIGINAL

Decision No. 12069

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of application of  
Southern Pacific Company for an  
order authorizing the construct-  
tion at grade of a spur track  
across portion of California Ave-  
nue, and a switch layout consist-  
ing of two tracks across Orange Ave-  
nue, in the vicinity of Mars, County  
of Fresno, State of California )

) Application No. 8902

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on April 10, 1923, filed with the Commission an application for permission to construct a spur track at grade across a portion of California Avenue and a switch layout consisting of two tracks at grade across Orange Avenue, in the vicinity of Mars, in the County of Fresno, 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 Supervisors of said County of Fresno, for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade

crossings with said California Avenue and said Orange Avenue, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct a spur track at grade across a portion of California Avenue and a switch layout consisting of two tracks at grade across Orange Avenue, in the vicinity of Mars, in the County of Fresno, State of California, described as follows:

Commencing at a point in the center line of the Southern Pacific Railroad Company Fresno Branch main line, 30 feet South of and 1129 feet East of the North 1/4 corner of Section, 14, T. 14 S., R. 20 E., M.D.B. & M.; thence in a westerly direction measured along a line curving southerly 245 feet to an intersection with the southerly boundary line of the County Road known as California Avenue, and

Commencing at a point in the easterly boundary line of Orange Avenue, 30 feet East of and 260 feet South of the North 1/4 corner of Section 14, T. 14 S., R. 20 E., M.D.B. & M.; thence West 60 feet to an intersection with the westerly boundary line of said Orange Avenue, and

Commencing at a point in the easterly boundary line of Orange Avenue, 30 feet East of and 260 feet South of the north 1/4 corner of Section 14, T. 14 S., R. 20 E., M.D.B. & M.; thence in a westerly direction, measured along a line curving northerly 60 feet, more or less, to an intersection with the westerly boundary line of said Orange Avenue, 30 feet West of and 255 feet South of the aforementioned North 1/4 corner of said Section 14, T. 14 S., R. 20 E., M.D.B. & M.

All of the above as shown by the map (San Joaquin Div'n. Drawing A-2256) 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 said Avenues now graded, with the top of rails flush with the pavement, and 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 crossings.

(4) The authorization herein granted for the installation of said crossings will 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 orders 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 judgment, the public convenience and necessity demand such action.

This order shall become effective three (3) days after the making thereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of May, 1923.

Commissioners.