

Decision No. 12406

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application)
of the Atchison, Topeka and Santa)
Fe Railway Company, a corporation,)
for authority to lay down, construct,)
maintain and operate a spur track)
across Tuolumne Street, in the City)
of Parlier, State of California.)

Application No. 9248.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on July 23, 1923, filed with the Commission an application for permission to construct a spur track at grade across Tuolumne Street in the City of Parlier, 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 (Resolution No.4) has been granted by Board of Trustees of said City of Parlier for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Tuolumne Street, 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 The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Tuolumne Street in the City of Parlier, County of Fresno, State of California, described as follows:

Commencing at a point in the north line of Tuolumne Street, said point being 261.8 ft. east of the N & S $\frac{1}{2}$ Sec. Line running through Sec. 24, T.15S, R22 E; thence in a southeasterly direction on a curve to the right with a radius of 603.81 ft. a distance of 80.17 ft. to a point in the south line of Tuolumne Street, 267.1 ft. east of said $\frac{1}{2}$ section line.

All of the above as shown by the map (Division Engineer's Drawing No. V-4-267) attached to the application; said crossing to be constructed subject to the following conditions, viz:-

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

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said street now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding three (3) per cent; shall be protected by a suitable crossing sign, 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 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 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.

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

Dated at San Francisco, California, this 27th day of
July, 1923.

C. Seavey

H. B. ...

Irving ...

Egerton ...

J. T. Whittney

Commissioners.