

ORIGINAL

Decision No. 12511

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 construction at grade of a spur track crossing Copper Avenue in the vicinity of Gordon, County of Fresno State of California.

Application No. 9259

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on July 24, 1923, filed with the Commission an application for permission to construct a spur track at grade across Copper Avenue in the vicinity of Gordon, 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 crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Copper 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 Copper Avenue in the vicinity of Gordon, County of Fresno, State of California, described as follows:

"Beginning at a point on the South boundary of what is known as Copper Avenue, Fresno County, said point being 113 feet more or less westerly and 20 feet southerly from the southeast corner of Sec. 12, T.12 S., R.20 E., M.D.B. & M., thence in a northwesterly direction 41 feet more or less, across said Copper Avenue to a point on the north boundary of said road 119 feet more or less westerly and 20 ft. northerly from said southeast corner of Sec. 12, T.12 S., R.20 E., M.D.B. & M."

All of the above as shown by the map (San Joaquin Division Drawing A-166) 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 road 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 21st day of August, 1923.

C. S. Sweeney
H. H. Brundage
Deering Martin
J. T. Whittier
Commissioners.