

Decision No. 12646

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the matter of application of )  
Southern Pacific Company for an )  
order authorizing the construction )  
at grade of a spur track across A )  
Street and across a portion of )  
North Third Street, in the vicinity )  
of Tranquility, County of Fresno, )  
State of California. )

Application No. 9380

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on September 14, 1923, filed with the Commission an application for permission to construct a spur track at grade across "A" Street and across a portion of North Third Street, in the vicinity of Tranquility, 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 "A" Street and North Third 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 Southern Pacific Company to construct a spur track at grade across "A" Street and North Third Street in the vicinity of Tranquility, County of Fresno, State of California, described as follows:

Commencing at a point in the center of Southern Pacific Railroad Company's Riverdale Branch main line, 65 feet easterly measured along said Railroad Company's center line from the easterly boundary line of A Street produced southerly; thence in a westerly direction, measured along a line curving northerly 190 feet to an intersection with the northerly boundary line of North Third Street 63 feet westerly from the westerly boundary line of A Street.

All of the above as shown by the map (San Joaquin Division Drawing A-2355) 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 streets 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 subse-

quent 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 21<sup>st</sup> day of September, 1923.

Al Seavey

Dwight Martin

J. F. Whittier  
Commissioners.