

Decision No. 12682

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application
of Fresno Interurban Railway Company)
for an order authorizing the con-)
struction, at grade, of a track)
crossing Fresno Avenue, Minnesota)
Avenue and Kentucky Avenue.)

Application No. 9335

ORIGINAL

BY THE COMMISSION:

O R D E R

Fresno Interurban Railway Company, a corporation, having on August 23, 1923, filed with the Commission an application for permission to construct a track at grade across Fresno Avenue, Minnesota Avenue and Kentucky Avenue, 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 Fresno Avenue, Minnesota Avenue and Kentucky 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 Fresno Interurban Railway Company to construct a track at grade across Fresno Avenue, Minnesota Avenue and Kentucky Avenue in the County of Fresno, State of California, described as follows:

(a) Beginning in the east line of Fresno Avenue 13.07 feet south of the north line of Florodora Avenue produced; thence northwesterly on a 7 degree 30 minute curve concave to the northeast 25.6 feet; thence northwesterly on a tangent 36.1 feet to point of ending in the east line of Fresno Avenue 1.5 feet north of the north line of Florodora Avenue.

(b) Beginning in the east line of Minnesota Avenue 25 feet north of Florodora Avenue; thence west across Minnesota Avenue 60 feet to point of ending in the west line of said Minnesota Avenue 25 feet north of Florodora Avenue.

(c) Beginning in the east line of Kentucky Avenue 25 feet north of Florodora Avenue; thence west 30 feet across Kentucky Avenue to point of ending in the west line of said Kentucky Avenue 25 feet north of Florodora Avenue produced.

(d) Beginning at the northeast corner of Kentucky and Florodora Avenue; thence southwesterly on a 9 degree and 30 minute curve 33 feet to point of ending in the west line of Kentucky Avenue 20 feet north of the southeast corner of Lot 8 of Salinger Tract.

All of the above as shown by the map 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 crossing of Fresno Avenue 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 one (1) 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) Said crossing of Minnesota Avenue and Kentucky Avenue shall be so constructed that grades of approach not exceeding four (4) per cent will be feasible in the event that the construction of a roadway along said streets shall hereafter be authorized and so that said grade crossings of said streets may be made safe for the passage thereover of vehicles and other road traffic.

(4) This order is made upon the express condition that Minnesota Avenue and Kentucky Avenue are not now actually constructed and open to travel at the respective points of crossing and said order shall not be deemed an authorization for the construction or opening of said streets to public use and travel across said railroad track.

(5) This order is made upon the express condition that the track located in and extending along Fresno Avenue from the end of track south of Florodora Avenue to McKinley Avenue and the track located in and extending along McKinley Avenue from Fresno Avenue to a point six hundred (600) feet more or less, easterly from Blackstone Street be entirely removed.

(6) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(7) 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.

(8) 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 4th day of October, 1923.

C. S. Sweeney

Irving M. Martin

J. H. Hattery
Commissioners.