

Decision No. 13224

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application
of The Atchison, Topeka and Santa
Fe Railway Company, a corporation,
for authority to construct a spur
track across a county highway near
Del Rey, Fresno County, California.

Application No. 9826

ORIGINAL

BY THE COMMISSION:

01234

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on February 27, 1924, filed with the Commission an application for permission to construct a spur track at grade across County Highway near Del Rey, 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 County Highway, 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 County Highway near Del Rey, County of Fresno, State of California, described as follows:

Beginning at a point in the west line of the County Road distant 42.0 feet at right angles northeasterly from the center line of The A. T. & S. F. Ry. Co.'s main track, and thence southeasterly parallel with said main track and distant 42 feet northeasterly therefrom 85 feet to the east line of said County Road, as shown in red on point No. V-4-288, attached to petition.

All of the above as shown by the map (Division Engineer's Drawing No. V-4-288) 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) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, 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 29th day of February, 1924.

C. Seaver
H. B. Brundage
Dwight Martin
F. T. Whittier
Commissioners.

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS
PRISON INDUSTRY AUTHORITY

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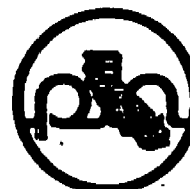
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