

Decision No. 13373

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

In the Matter of the Application of
FRESNO INTERURBAN RAILWAY COMPANY,
a Corporation, for an order author-
izing it to construct, maintain and
operate, at grade, Railroad Cross-
ings in the County of Fresno, State
of California.

Application No. 9821

ORIGINAL

BY THE COMMISSION:

O R D E R

Fresno Interurban Railway Company, a corporation, filed the above entitled application with this Commission on the 26th day of February, 1924, asking for authority to construct its track at grade across Academy, Madsen, Newmark, Zediker and River Bend Avenues in the County of Fresno, State of California, as hereinafter set forth. The necessary permit has been granted by the Board of Supervisors of said County for the construction of said crossings at grade, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings with said Avenues at the points mentioned in this application, and that this application should be granted subject to the conditions hereinafter specified:

THEREFORE, IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Fresno Interurban Railway Company to construct a track at grade across Academy, Madsen,

Newmark, Zediker and River Bend Avenues in the County of Fresno, State of California, as follows:

ACADEMY AVENUE. - Beginning at a point on the west line of Academy Avenue 106 feet southerly along said line from the north line of Section 34, Township 13 South, Range 22 East, M.D.M.; thence southeasterly on a curve concave to the southwest and having a radius of 716.779 feet 67.9 feet to a point in the east line of Academy Avenue 137 feet southerly along said east line from the north line of Section 35, Township 13 South, Range 22 East, M.D.M. The above described curve being the located center line of the Fresno Interurban Railway.

MADSEN AVENUE. - Beginning at a point in the west line of Madsen Avenue 19 feet southerly along said west line from the center line of Olive Street produced westerly; thence in a direct line easterly along the located center line of the Fresno Interurban Railway to a point in the east line of Madsen Avenue 23 feet southerly from the center line of said Olive Street.

NEWMARK AVENUE. - Beginning at a point in the west line of Newmark Avenue 30 feet southerly from the southwest corner of Newmark and Olive avenues; thence easterly in a direct line along the located center line of the Fresno Interurban Railway across Newmark Avenue to a point in the east line thereof 30 feet southerly from the southeast corner of Newmark and Olive Avenues.

ZEDIKER AVENUE. - Beginning at a point in the west line of Zediker Avenue 30 feet southerly from the southwest corner of Zediker Avenue and Olive Avenue; thence easterly in a direct line along the located center line of the Fresno Interurban Railway across said Zediker Avenue to a point in the east line thereof 30 feet southerly from the southeast corner of Zediker and Olive avenues.

RIVER BEND AVENUE. - Beginning at a point in the west line of River Bend Avenue which point is also the west line of the southeast quarter of Section 31, Township 13 South, Range 23 East, M.D.M., and 48 feet southerly from the northwest corner of said southeast quarter of Section 31; thence easterly in a direct line along the located center line of the Fresno Interurban Railway to a point in the east line of River Bend Avenue 48 feet southerly from the north line of aforesaid southeast quarter of Section 31.

The above as shown by the map (Marked Exhibit "B") 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 Avenues 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) If said crossings 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 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 25th day
March
of ~~April~~ 1924.

C. L. Seaver
H. B. Brundage
David Martin

Commissioners.