

Decision No. 13935

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of )  
SOUTHERN PACIFIC COMPANY for an )  
order authorizing the construction )  
at grade of a spur track across a ) Application No. 10,381.  
portion of Sarah Street and across )  
Lorena Avenue in the vicinity of )  
Fresno, County of Fresno, State of )  
California. )

BY THE COMMISSION:

ORIGINAL

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 12th day of August, 1924, asking for authority to construct a spur track at grade across a portion of Sarah Street and across Lorena Avenue, in the vicinity of Fresno, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 236) 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 separated grade crossings at the points mentioned in this application, or to avoid grade crossings with said Sarah Street and Lorena Avenue 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 Southern Pacific Company to construct a spur track at grade across Sarah Street and Lorena Avenue, in the vicinity of Fresno, County of Fresno, State of California, as follows:

BEGINNING at a point in the Southerly terminus of Sarah Street, said point being also in the North-easterly boundary line of Central Pacific Railway Company's right of way, said point being distant Northwesterly thereon 55 feet, more or less, from the Northerly line of Florence Avenue, and distant 25 feet, more or less, Westerly at right angles from the Easterly line of Sarah Street; thence Northerly along a curve concave to the right, having a radius of 286.57 feet for a distance of 102 feet, more or less, to a point in the center line of said Sarah Street; thence Northerly along said center line, crossing Lorena Avenue, to the southerly line of California Avenue.

All of the above as shown by the map (San Joaquin Division Drawing B-2389) 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 one (1) 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 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 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 19<sup>th</sup> day of August, 1924.

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*H. N. Bondage*

*Irving Mattie*

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*F. W. Whitney*

Commissioners.