

Decision No. 14128.

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 State Highway, in
 the vicinity of Calwa, County of
 Fresno, State of California.

Application No. 10500.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 24th day of September 1924, asking for authority to construct a spur track at grade across State Highway near the Town of Calwa, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (No. 60359) has been granted by the California Highway Commission for the construction of said crossing 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 a separated grade crossing at the point mentioned in this application, or to avoid a grade crossing with said State Highway 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

State Highway near the Town of Calwa, County of Fresno,
State of California, as follows:

"Commencing at the Southwest corner of Section 14, Township 14 South, Range 20 East, Mount Diablo Base and Meridian; thence North $89^{\circ} 51'$ East along the South line of said Section 14, a distance of 1990 feet to an intersection with the Northeasterly line of the California State Highway; thence North $41^{\circ} 39'$ West along said Northeasterly line of the California State Highway, a distance of 252 feet to center line of spur track, to point of beginning of line to be described; thence in a Northwesterly direction along a circular curve to the left having a radius of 286.84 feet, a distance of 105 feet to an intersection with the Southwesterly line of the said California State Highway, at a point 285 feet measured North $41^{\circ} 39'$ West along said southwesterly line of the California State Highway from its intersection with the said South line of Section 14.

All of the above as shown by the map (Drawing B-2634) 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 Conditions prescribed by California Highway Commission, 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 crossing.

(4) If said crossing shall not have been installed within one year from the date of this order, the authoriza-

tion herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(5) No train, engine, motor or car shall be operated over said crossing unless under full control, and unless traffic on highway be protected by a member of train crew or other competent employee acting as flagman.

(6) 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 two (2) days after the making thereof.

Dated at San Francisco, California, this 2nd day of October, 1924.

H. B. Muddiger
Irving Manton

F. L. Whittelsey

Commissioners.