

Decision No. 14384

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of)
SOUTHERN PACIFIC COMPANY for an or-)
der authorizing the construction at)
grade of spur tracks across Van Ness,) Application No. 10668.
San Diego, Los Angeles and Monterey)
Avenues, in the City 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 9th day of December, 1924, asking for authority to construct spur tracks at grade across Van Ness, San Diego, Los Angeles and Monterey Avenues, in the City of Fresno, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 1131) has been granted by the Commission of said City 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 at the points mentioned in this application with said Van Ness, San Diego, Los Angeles and Monterey Avenues, 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 its spur tracks at grade across Van Ness,

San Diego, Los Angeles and Monterey Avenues, in the City of Fresno, County of Fresno, State of California, as follows:

1. Commencing at the southwest corner of Block 196 of the City of Fresno, which corner is the intersection of the Northeast Boundary of Van Ness Avenue with the Northwest Boundary of San Diego Avenue; thence along the Southeasterly Boundary of Block 196, 42 feet, more or less, to a point; thence at right angles 62 feet, more or less, to a point in the existing Industry spur track, which point is the true point of beginning; thence on a circular curve to the right with a radius of 159.81 - 290 feet, more or less, to its intersection with the Southeasterly Boundary of Block 202; thence beginning at a point on the Northeasterly line of the alley through Block 202 - 28 feet, more or less, Northwesterly from its intersection with the Northwesterly Boundary of San Diego Avenue; thence on a circular curve to the right with a radius of 159.81 - 62 feet, more or less, to the center of the alley through Block 202; thence along the center of said alley 1270 feet, more or less, to the Southeasterly Boundary of San Benito Avenue through Blocks 202, 203 and 204 and across Los Angeles and Monterey Avenues, which are 100 feet Avenues.

2. Again commencing at the intersection of the Southwesterly line of the alley through Block 203 and the Northwesterly Boundary of Los Angeles Avenue; thence Northwesterly 20 feet, more or less, along the Southwest Boundary of the alley; thence at right angles 10 feet, more or less, to the center of the said alley, which point is the true point of beginning; thence along a circular curve to the right with a radius of 159.81 - 65 feet, more or less; thence along a circular curve to the left with a radius of 159.81 feet, 65 feet, more or less, to the Southeasterly Boundary of Los Angeles Avenue.

3. Again commencing at the intersection of the Northeast line of the alley through Block 203 with the Southeasterly Boundary of Monterey Avenue; thence 20 feet, more or less, Southeasterly along the Northeasterly line of the alley through Block 203 - 20 feet, more or less; thence at right angles 10 feet, more or less, to the center of the alley which point is the true point of beginning; thence along a circular curve to the right with a radius of 159.81 feet, 65 feet, more or less; thence along a circular curve to the left with a radius of 159.81 feet, 65 feet, more or less to the Northwesterly Boundary of Monterey Avenue.

and as shown by the map (Drawing C-2578) 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 tops 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 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 be come effective twenty (20) days after the making thereof.

Dated at San Francisco, California, this 18th day of December, 1924.

Clarence

Livingston

J. T. Whitney

COMMISSIONERS.