

Decision No. 14634

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
the County of Fresno, State of
California, for a permit to construct
a subway under the railway track and
right of way of The Atchison, Topeka
and Santa Fe Railway Company at Van
Ness Boulevard in said County.

Application No. 10792.

BY THE COMMISSION:

O R D E R

ORIGINAL

The County of Fresno, State of California, filed the above entitled application with this Commission on the 29th day of January, 1925, asking for authority to construct a public road known as Van Ness Boulevard, as a subway, under the tracks of The Atchison, Topeka and Santa Fe Railway Company, in said County, as hereinafter set forth. The Atchison, Topeka and Santa Fe Railway Company has signified, by entering an agreement with said County of Fresno for the apportionment of the cost of said grade separation, that it has no objection to the construction of said undergrade crossing, 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 to provide a grade separation by constructing the highway over the railroad at the point 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 the County of Fresno, State of California, to construct Van Ness Boulevard under the tracks of The Atchison, Topeka and Santa Fe Railway Company, at a point immediately north of the intersection of Van Ness Boulevard and Shields Avenue, in said County of Fresno, and substantially

in accordance with the plan, Exhibit "A", attached to the application, subject to the following conditions, namely:

(1) Foundations of the subway wing walls shall be carried deep enough to enable the grades of approach of the subway to be lowered from 7 per cent to 5 per cent, or less, without requiring any further changes in the wing walls at the time grades of approach are to be so changed.

(2) Pedestrian walk in said subway shall be provided with ramps with grades not over 10 per cent in lieu of the steps shown on plan (Exhibit "A").

(3) Detail plans of said subway shall be filed with the Commission for approval.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing of the completion of the installation of said crossing.

(5) 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.

IT IS HEREBY FURTHER ORDERED that the entire expense of constructing the subway shall be divided between County of Fresno and The Atchison, Topeka and Santa Fe Railway Company, as specified in the agreement entered into by them, copy of which is attached to the application as Exhibit "B".

IT IS HEREBY FURTHER ORDERED that 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.

For all other purposes this order shall become effective twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 5th day of March, 1925.

H. A. Prundige

George D. Squires

Ernest A. Squires

Commissioners.