

ORIGINAL

Decision No. 14695.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
FRESNO INTERURBAN RAILWAY COMPANY)
for an order authorizing construc-)
tion, at grade, of a track crossing)
Blackstone Avenue and McKinley Ave-)
nue, in the County of Fresno.)

Application No. 10845.

BY THE COMMISSION:

O R D E R

Fresno Interurban Railway Company, a corporation, filed the above-entitled application with this Commission on the 17th day of February, 1925, asking for authority to construct a spur track at grade across Blackstone and McKinley Avenues in the County of Fresno, State of California, as hereinafter set forth. The track to be constructed will replace an existing track which now crosses a portion of McKinley Avenue at grade at a point approximately two hundred fifty feet east of the proposed crossing. The Necessary franchise or permit (Order dated March 6, 1925) has been granted by the Board of Supervisors of said county 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 grade separation, or to avoid

a grade crossing at the point mentioned in this application with said Blackstone and McKinley 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 Fresno Interurban Railway Company to construct a track at grade across Blackstone and McKinley Avenues, in the County of Fresno, State of California, as follows:

Commencing at a point in the north line of McKinley Avenue distant 113.68 ft. westerly from the west line of Blackstone Avenue, thence southeasterly on a $5^{\circ} 30'$ curve concave northeasterly 100 ft., thence southeasterly on a tangent 40 feet; thence on a 15° curve concave southwesterly 48 ft., more or less, to the east line of Blackstone Avenue,

and as shown by the map (V-4-324) 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 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 a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall upon completion of the installation of the said crossing remove from McKinley Avenue the track now crossing the southerly portion of said avenue at a point approximately two hundred fifty feet east of the crossing herein authorized, and restore the pavement disturbed in so doing, to conform in type of construction and surface with the existing roadway.

(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.

(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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 24th day of March, 1925.

H. A. Brundage

C. Seavey

George D. Squires

Commissioners.