

Decision No. 14828

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application,)
of The Atchison, Topeka and Santa)
Fe Railway Company, a corporation,) Application No. 10998.
for authority to construct a pass-)
ing track across Blackstone and)
McKinley Avenues, in the County of)
Fresno, State of California.)

BY THE COMMISSION:

ORIGINAL

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 11th day of April, 1925, asking for authority to construct a passing track at grade across Blackstone and McKinley Avenues in the County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (Exhibit "B") 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 grade separations, or to avoid grade crossings at the points mentioned in this application with said Blackstone and McKinley Avenues and that this application should be granted subject to the conditions hereinafter specified.

WHEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to construct a passing track at grade across Blackstone and McKinley Avenues, in the City of Fresno, County of Fresno, State of California, as follows:

Commencing at a point in the East line of Blackstone Avenue distant 14 ft. at right angles Northeasterly from the center line of the present main track of The A.T. & S.F. Ry. Co., thence Northwesterly parallel with said main track and 14 ft. distant therefrom, a distance of 113.49 ft. to the West line of said Blackstone Avenue. Also -

Commencing at a point in the South line of McKinley Avenue, distant 14 ft. at right angles Northeasterly from the center line of the present main track of The A.T. & S.F. Ry. Co., thence Northwesterly parallel with said main track and 14 ft. distant therefrom a distance of 70.68 ft. to the North line of said McKinley Avenue;

and as shown by the map, except as to grades of approach, (V-38-10) 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 of not less than 24 feet and of a type of construction to conform to those portions of said streets now graded, with the tops of rails flush with the roadway and on a level with the rails of the main line track, except that the tops of rails of the interchange track may be placed 4 inches below the tops of rails of main line track. Grades of approach on Blackstone Avenue shall not exceed three (3) per cent. Grades of approach on McKinley Avenue shall not exceed four (4) per cent. Crossings shall be protected in the same manner as the existing crossings of these two streets, 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.

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

Dated at San Francisco, California, this 20th day of April, 1925.

CL. Henry
Egerton Stone
George D. Squires

Commissioners.