

Decision No. 15 733.

ORIGINAL

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  
California Avenue, in the vicinity  
of Fresno, County of Fresno, State  
of California.

Application No. 12,150.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 27th day of November, 1925, asking for authority to construct a spur track at grade across California Avenue in the vicinity of Fresno, County of Fresno, State of California, as hereinafter set forth. The necessary permit (Resolution dated November 17, 1925,) has been granted by the Board of Supervisors of said County of Fresno for the construction of said crossing at grade. 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 California Avenue 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 California Avenue, in the vicinity of Fresno, County of Fresno, State of California, as follows:

Commencing at the northwest corner of the northwest quarter of Section 14, Township 14 South, Range 20 East, Mount Diablo Base and Meridian; thence north  $89^{\circ} 58-1/2'$  east along the north line of said legal subdivision, a distance of 1846.94 feet to point of beginning of line being described. Said point of beginning being in the northerly boundary line of that certain public highway known as California Avenue, and the surveyed center line of a proposed railroad drill track; thence tangent south  $81^{\circ} 47' 15''$  west a distance of 210.66 feet to an intersection with the southerly boundary line of said public highway.

and as shown by the map (San Joaquin Div'n. Divg. A-2873) 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 equal or superior to type shown as Standard No. 1, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said California Avenue now graded, with the tops of rails flush with the roadway, 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. If

and when California Avenue is improved this crossing shall be improved to suit new type of pavement.

(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 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 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 9<sup>th</sup> day of December, 1925.

H. K. Brown  
Chairman  
George D. Spence  
Secretary  
Commissioners.