

Decision No. 15763

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the Matter of the Application of
the County of Fresno, State of Cal-
ifornia, for a permit to construct
and maintain a public highway cross-
ing at grade over the right of way
and tracks of the ATCHISON, TOPEKA
and SANTA FE RAILROAD at HUNTSMAN
AVENUE in the said County.

Application No. 10,989.

C. M. Ozias, Deputy District Attorney
for County of Fresno, Applicant.
J. W. Walker, for Santa Fe Railway Company
Protestant.

BY THE COMMISSION:

O P I N I O N

In this application the County of Fresno requests authority to open a road known as Huntsman Avenue at grade across the track of The Atchison, Topeka and Santa Fe Railway Company at a point approximately midway between Bowles and Monmouth. At the hearing which was held before Examiner Satterwhite at Fresno on September 11th, 1925, the railway company appeared and protested the granting of this crossing.

Huntsman Avenue is a county road of minor importance extending westerly from the state highway through the center of a tier of sections to a north and south road known as Chestnut Avenue about one half mile east of the proposed crossing. From Chestnut Avenue to East Avenue, a distance of two miles, Huntsman Ave. has not been constructed. From East Avenue westerly it is opened for

a distance of one mile to Elm Avenue, the main paved county highway running south from Fresno. It has been proposed that that portion of the road between Chestnut Avenue and East Avenue be opened for traffic and as The Atchison, Topeka and Santa Fe Railway track lies between these two roads application for the crossing involved is made to this Commission.

One half mile north of the proposed crossing Dinuba Avenue crosses the track and a half mile to the south there is a crossing at Floral Avenue. Both of these Avenues are parallel to this proposed road, are better improved and one of them, Floral Avenue, is open the entire distance between the State Highway and Elm Avenue, the other, Dinuba Avenue, being closed for a distance of one mile. Improved north and south roads are open every mile and the evidence shows them to be in good condition. Railroad stations at Bowles and Monmouth can be conveniently reached by means of these roads and in the three miles between these stations there are already six crossings over the railroad. The country in the vicinity of the proposed crossing is all under cultivation and the existing residences have access to open public roads.

The opening of Huntsman Avenue would probably prove a convenience to a limited number of owners of property in the vicinity, particularly to the witness who owns parcels fronting on the two disconnected sections of this road, but it is not apparent that there is any substantial public necessity for opening an additional grade crossing in a territory that is already well supplied with crossings. It appears to the Commission that the public can be adequately and more safely served by the concentration of vehicular traffic at existing crossings and there provide adequate protection when the volume of traffic and other factors warrant, than by opening new crossings to meet the convenience of a limited number of individuals. The application will, therefor, be denied.

O R D E R

County of Fresno, having applied to the Commission for permission to construct a crossing at grade of Huntsman Avenue in Section 36, T. 15 S. R. 20 E. M. D. B. and M. across the track of The Atchison, Topeka and Santa Fe Railway Company, a public hearing having been held, the matter having been duly submitted and now ready for decision, for the reasons stated in the foregoing opinion,

IT IS HEREBY ORDERED, that the above entitled application be and the same is hereby denied.

For all other purposes the effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 16th day of December, 1925.

H. B. Brandt
C. L. Smith
George D. Spence

Commissioners.