

Decision No. 16642.

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 and maintain a public highway crossing at grade over the right-of-way and tracks of the SOUTHERN PACIFIC COMPANY at the intersection of Illinois Avenue and Twelfth Street in said county.

ORIGINAL

Application No. 12,732.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Fresno, State of California, filed the above entitled application with this Commission on the 9th day of April, 1926, asking for authority to construct Illinois Street at Twelfth Street at grade across the track of the Friant Branch of Southern Pacific Company in said County, as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to 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 with said track 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 Board of Supervisors of the County of Fresno, State of California, to construct Illinois Street at Twelfth Street at grade across the tracks of the Friant Branch of Southern Pacific Company as follows:

Parcel 1. Beginning at a point at the intersection of the Southerly line of Illinois Street with the Northwesterly right-of-way line of the Friant Branch of the Southern Pacific Company; thence Northeasterly a distance of 156.85 feet more or less to a point at the intersection of said Northwesterly right-of-way line with the Westerly line of Twelfth Street; thence South along said Westerly line of Twelfth Street a distance of 77.72 feet more or less to the intersection of said Westerly line of Twelfth Street with the Southeasterly right-of-way line of said Friant Branch of Southern Pacific Company; thence Southwesterly along said Southeasterly right-of-way line a distance of 8.78 feet, more or less to a point on the Southerly line of Illinois Street extended Easterly; thence Westerly along said Southerly line of Illinois Street, as extended Easterly, a distance of 125.74 feet, more or less to the point of beginning.

Parcel 2. Beginning at a point at the intersection of the Northerly line of Illinois Street with the Southeasterly right-of-way line the Friant Branch of Southern Pacific Company; thence Westerly along said Northerly line of Illinois Street a distance of 28.9 feet, more or less, to a point on the Easterly line of Twelfth Street; thence Southerly along said Easterly line of Twelfth Street a distance of 17.95 feet, more or less, to the point of intersection of said Easterly line of Twelfth Street with the Southeasterly right-of-way line of said Friant Branch of Southern Pacific Company; thence Northeasterly along said Southeasterly right-of-way line a distance of 34.0 feet, more or less, to the point of beginning;

and as shown by the map attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside

rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than thirty (30) feet and at an angle of approximately thirty-one (31) degrees to the railroad and with grades of approach not greater than one and one-half (1-1/2) per cent; shall be constructed substantially in accordance with Standard No. 3 as specified in General Order No. 72 of this Commission; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon 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 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 4th day of May, 1926.

H. B. ...
C. ...
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