

Decision No. 16647.

ORIGINAL

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 for
authority to construct a passing
track extension across Jensen Avenue,
at Calwa, Fresno County, California.

Application No. 12769.

BY THE COMMISSION:

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 19th day of April, 1926, asking for authority to construct a passing track at grade across Jensen Avenue at Calwa, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit dated March 29, 1926 (Exhibit "B") 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 Jensen 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 The Atchison, Topeka and Santa Fe Railway Company to construct a passing track at grade across Jensen Avenue, at Calwa, County of Fresno, State of California,

as follows:

Commencing at a point in the south line of Jensen Avenue, said point being 225.65 feet east of the center line of the State Highway; thence north-westerly parallel to the center line of said State Highway 80.11 feet, to a point in the north line of Jensen Avenue;

and as shown by the map (Div'n Engrs. Dwg. No. V-8-56) attached to the application; said crossing to be constructed subject to the following conditions, namely:

(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. 3, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said avenue now graded, with the tops of rails at same elevation as main line rails and flush with the pavement, and with grades of approach not exceeding one (1) per cent; shall be protected by suitable crossing signs 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 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, mainten-

ance 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. Leancy

E. ...

Commissioners.