

Decision No. 12069

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 spur
track across Tuolumne Street, in
the City of Parlier, Fresno County,
California.

Application No. 12980.

ORIGINAL

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 26th day of June, 1926, asking for authority to construct a spur track at grade across Tuolumne Street in the City of Parlier, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (Exhibit "B") has been granted by the Board of Trustees of said City of Parlier 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 Tuolumne Street 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 spur track at grade across Tuolumne Street, in the City of Parlier, County of Fresno, State of California, as follows:

Commencing at a point in Tuolumne Street, said point being 2.75 feet south of the north line of said street and 211.6 feet east of the east line of the County Road running along the north and south 1/4 section line of Section 24, T. 155-R, 22 E. M.D.M. thence in a southwesterly direction on a 9 degree 30 minute curve concave westerly 77.14 feet to a point in the south line of Tuolumne Street 204.59 feet east of the east line of said County Road.

and as shown by the map (Div'n. Eng. Dwg. No. V-4-385, dated May 7, 1926) 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. 2, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails at same elevation as main line rails and 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.

(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 _____ day of July, 1926.

H. B. ...

C. Seaver

Leon ...

Commissioners.