

Decision No. 17572

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 an industrial drill track across Mariposa Street, in the Town of Fowler, County of Fresno, State of California.

ORIGINAL
Application No. 13272.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 25th day of October, 1926, asking for authority to construct an industrial drill track at grade across Mariposa Street in the Town of Fowler, County of Fresno, State of California, as hereinafter set forth. Under an easement, dated December 17th, 1912, in which the right was granted by the railroad company to the Town of Fowler to construct Mariposa Street at grade across the railroad tracks, the railroad company reserved the right to construct, maintain and operate additional railroad tracks across said easement. 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 Mariposa 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 Southern Pacific Company to construct an additional industrial drill track at grade across Mariposa Street, in

the Town of Fowler, County of Fresno, State of California, as follows:

Commencing at the intersection of the Northwest-erly line of Mariposa Street with the Northeasterly line of 7th Street, as shown on the "map of the Town of Fowler and Villa Lots, Fresno County, California" of official re-cord, thence in a southwesterly direction-along said north-westerly line of Mariposa Street extended Southwesterly a distance of 332 feet to point of beginning of center line of drill track being described; thence at right angles Southwesterly a distance of 80 feet to an intersection with the Southeasterly line of said Mariposa Street produced Southwesterly, to end of said center line of drill track being described;

and as shown by the map (San Joaquin Div'n. Dwg. A-3077) 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-B, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding two (2) 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 5th day
November
of ~~October~~, 1926.

H. H. Brandige
Charles
Ernest
Leon
Frank

Commissioners.