

Decision No. 18091.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the matter of application of  
SOUTHERN PACIFIC COMPANY for an  
order authorizing the construction  
at grade of a spur track across  
E Street, In the City of Madera,  
County of Madera, State of  
California.

Application No. 13578.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 3rd day of March, 1927, asking for authority to construct a spur track at grade across "E" Street in the City of Madera, County of Madera, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated January 17, 1927) has been granted by the Board of Trustees of said City 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 "E" 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 a spur track at grade across "E" Street in the City of Madera, County of

Madera, State of California, at the location hereinafter particularly described and as shown by the map (Stockton Division Drawing C-2895) attached to the application.

#### Description of Crossing

Beginning for a description of spur track in an existing track located on private property, said point of beginning being 328 feet, more or less, northerly from the North line of 9th Street and 25 feet, more or less, Westerly from the West line of E Street, produced Northerly. Thence Southeasterly with switch and turnout to the left angle  $8^{\circ} 10'$  and on private property 80 feet to the beginning of a curve. Thence on curve concave to the left 27 feet, more or less, to the West line of E Street, thence continuing on aforesaid curve and on E Street 63 feet, more or less, to end of curve, thence continuing tangent to aforesaid curve and on E Street 50 feet, more or less, to end of track, said point being 125 feet, more or less, Northerly from the North line of 9th Street and along the East line of E Street.

The above crossing shall be identified as Crossing No. B-184.15-C.

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 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 installa-

tion 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 21<sup>st</sup> day of March, 1927.

*Frank J. ...*

*H. R. ...*

*Clarence  
Leon Whitell  
Theodore ...*

COMMISSIONERS.