

Decision No. 18708

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 two side tracks across 8th Street, in the City of Reedley, County of Fresno, State of California.

ORIGINAL

Application No. 13930.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 14th day of July, 1927, asking for authority to construct two side tracks at grade across Eighth Street in the City of Reedley, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 349, dated August 2nd, 1927) has been granted by the Board of Trustees of said City of Reedley for the construction of said crossings 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 grade separations or to avoid grade crossings at the points mentioned in this application with said Eighth 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 two side tracks at grade across Eighth Street in the City of Reedley, County of Fresno, State of California, at the locations hereinafter

particularly described and as shown by the map (San Joaquin Div'n. Dwg. A-3280) attached to the application.

#### Description of Crossings

##### Track #1:

Commencing at the intersection of the northwesterly line of 8th Street with the northeasterly line of "I" Street as shown on that certain map entitled "Map of the Town of Reedley, Fresno County, California." Said map recorded at 20 minutes past 10:00 A.M., October 20, 1891, in Volume 5 of Maps of Fresno County Records at Page 6. Thence North  $48^{\circ}47'$  East along said northwesterly line of 8th Street a distance of 207.0 ft. to point of beginning of center line of proposed track hereinafter described; thence South  $41^{\circ}13'$  East a distance of 80.0 feet to an intersection with the southeasterly line of said 8th Street to end of center line of proposed track above described.

##### Track #2:

Commencing at the intersection of the northwesterly line of 8th Street with the northeasterly line of "I" Street as shown on that certain map entitled "Map of the Town of Reedley, Fresno County, California". Said map recorded at 20 minutes past 10:00 A.M., October 20, 1891, in Volume 5 of Maps of Fresno County Records at Page 6. Thence North  $48^{\circ}47'$  East along said northwesterly line of 8th Street a distance of 194.0 ft. to point of beginning of center line of proposed track hereinafter described; thence South  $41^{\circ}13'$  East a distance of 80.0 feet to an intersection with the southeasterly line of said 8th Street to end of center line of proposed track above described.

Said crossings to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings 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 Eighth Street 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) Automatic flagman shall be installed and maintained for the protection of said Eighth Street crossing, as specified in Resolution No. 349, passed by the Board of Trustees of the City of Reedley on August 2nd, 1927. Said automatic flagman shall be of a type and installed in accordance with plans or data approved by the Commission.

(4) No train, engine, motor or car shall be operated over said crossing of Track No. 2 and Eighth Street, unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

(5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(6) If said crossings 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.

(7) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 13<sup>th</sup> day of August, 1927.

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*Leon Whitson*  
*Thos. J. Powell*  
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*M. A. Carr*  
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Commissioners.