

Decision No. 18897

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

<p>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 Stockton Avenue, Clinton Avenue and Elm Avenue in the County of Madera, State of California.</p>)
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Application No. 14082.

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 21st day of September, 1927, asking for authority to construct a spur track at grade across Elm and Clinton Avenues and at grade across the intersection of Stockton Avenue and Tozer Street produced, in the vicinity of the City of Madera, County of Madera, State of California, as hereinafter set forth. The necessary franchise or permit, dated September 7th, 1927, has been granted by the Board of Supervisors of said County of Madera 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 Elm, Clinton and Stockton Avenues and Tozer Street produced, 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 Elm and Clinton Avenues and at grade across the intersection of Stockton Avenue and Tozer Street produced, in the vicinity of the City of Madera, County of Madera, State of California, at the locations hereinafter particularly described and as shown by the map (Div'n. Eng. Dwg. No. V-20-91) attached to the application.

DESCRIPTION OF CROSSINGS

Crossing No. 1:

That portion of a spur track constructed to serve the City of Madera, County of Madera, State of California, described as follows; beginning at the point of intersection of said spur track with the section line common to Sections 17 and 18, T 11 S, R 18 E, M.D.M., said point of intersection being 249.1 ft. easterly from the corner common to Sections 17, 18, 19 & 20 of said township and range, said corner being further described as the point of intersection of the center lines of Stockton Ave. and Hildreth Ave; thence southeasterly on the arc of a curve concave northeasterly, of 603.805 ft. radius a distance of 31.4 ft. to intersection with the southerly boundary line of said Stockton Ave.

The above crossing shall be identified as Crossing No. 2-1020.7-C.

Crossing No. 2:

That portion of a spur track constructed to serve the City of Madera, County of Madera, State of California, described as follows; beginning at the point of intersection of said spur track with the northerly boundary line of Clinton Ave; said point being 100 ft. easterly from the easterly boundary of Elm Ave; said distance being measured along said northerly boundary of Clinton Ave; thence southeasterly, parallel to and 100 ft. easterly from said easterly boundary of Elm Ave; or its prolongation, a distance of 40 ft. to point of intersection with the southerly boundary of said Clinton Ave.

The above crossing shall be identified as Crossing No. 2-1020.9-C.

Crossing No. 3:

That portion of a spur track constructed to serve the City of Madera, County of Madera, State of California, described as follows; beginning at the point of intersection of said spur track with the westerly boundary line of Elm Ave., said point being 500.5 ft. northwesterly from the northerly boundary line of Clinton St., said distance being

measured along said westerly boundary line of Elm Ave; thence southeasterly on the arc of a curve, concave southeasterly with a radius of 603.805 ft. a distance of 93.5 ft. to point of intersection with the easterly boundary line of Elm Ave.

The above crossing shall be identified as Crossing No. 2-2021.0-C.

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. 2, in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said avenues now graded, with the tops of rails flush with the roadways and with grades of approach not exceeding four (4) per cent at Stockton Avenue and one (1) per cent at the other crossings; 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 crossings.

(4) 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.

(5) 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 judg-

ment, 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 October, 1927.

Edmund G. Leary
W. H. Leary
Leon Whitell
W. H. Leary
M. J. Leary

Commissioners.