

Decision No. 18388.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
the County of Fresno, State of Calif-
ornia, for a permit to construct and
maintain a public highway crossing at
the grade over the right-of-way and
tracks of the Southern Pacific Company
Railroad, Biola Branch, at the inter-
section of Hayes Avenue with the said
Railroad in the said County.

Application No. 14,112.

BY THE COMMISSION:

O R D E R

Board of Supervisors of the County of Fresno,
State of California, filed the above entitled application
with this Commission on the 29th day of September, 1927,
asking for authority to construct a public road known as
Hayes Avenue at grade across the track of the Biola Branch
of Southern Pacific Company, in County of Fresno, as herein-
after set forth. Said Southern Pacific Company has signified
by letter that it has no objection to the construction of
said crossing at grade, and 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 with said track at the point mentioned in
this application, 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 Board of Supervisors of the

County of Fresno, State of California, to construct County Road at grade across the track of the Biola Branch of Southern Pacific Company at the location hereinafter particularly described and as shown by the map attached to the application.

DESCRIPTION OF CROSSING.

Commencing at a point on the north line of the Southern Pacific Railroad, Biola Branch, right-of-way, said point being on the west line of Section 15, Township 13 South, Range 19 East, M.D.B. & M., 32.3 feet north of the quarter section corner of said west line of said section 15; thence west 30 feet to the west boundary line of Hayes Avenue; thence south 50 feet along said west boundary line of Hayes Avenue to the south boundary line of said railroad right-of-way; thence east fifty feet along said railroad right-of-way to the east boundary line of said Hayes Avenue; thence north 50 feet along the east boundary line of Hayes Avenue to the north boundary line of said railroad right-of-way; thence west 20 feet along said north boundary line to said railroad right-of-way to point of beginning.

The above crossing shall be identified as Crossing No. B.U.201.0.

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not

greater than one (1) per cent; shall be constructed substantially in accordance with Standard No. 2 as specified in General Order No. 72 of this Commission; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon 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 3d day
~~of October~~, 1927.

Ernest J. [Signature]
Clarence [Signature]
Leon [Signature]
Paul [Signature]
M. A. [Signature]
Commissioners.