

ORIGINAL

Decision No. 19866.

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 a spur track across Olive Avenue, at Madera, County of Madera, State of California.

Application No. 14722.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 22nd day of May, 1928, asking for authority to construct a spur track at grade across Olive Avenue lying partly in the City of Madera, County of Madera, and partly in the unincorporated portion of the County of Madera, State of California, as hereinafter set forth. The necessary permits have been granted by the Board of Trustees of said City and the Board of Supervisors of said County 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 Olive Avenue 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 Olive Avenue lying partly in the City of Madera, County of Madera, and partly in the unincorporated portion of the County of Madera, State of California, at the location hereinafter particularly described and as shown by the map (Stockton Division Drawing C-3051) attached to the application.

DESCRIPTION OF PORTION OF CROSSING
LYING IN CITY OF MADERA.

Beginning at a point in the section line dividing Sections 19 and 30, T 11 S, R 18 E, MDB&M, and being distant 155 ft. easterly measured along said Section line from said easterly line of E Street; thence northerly on curve 41 feet to a point in the northerly line of Olive Avenue, said point being 162 ft. measured easterly along the northerly line of said Olive Avenue from the easterly line of E Street.

DESCRIPTION OF PORTION OF CROSSING
IN UNINCORPORATED PORTION OF COUNTY OF MADERA

Beginning at a point in the Southerly line of Olive Avenue, said point being 150 ft. Easterly measured along said Southerly line of Olive Avenue, from the Easterly line of E Street produced thence Northerly on curve 17 feet to a point in the section line dividing Sections 19 and 30, T 11 S, R 18 E, MDB&M, and being distant 155 ft. Easterly measured along said Section line from said Easterly line of E Street.

The above crossing shall be identified as a portion of Crossing No. B-184.9.

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

(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 avenue 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 Standard No. 1 crossing sign as specified in General Order No. 75 of this Commission and shall in every way be made suitable 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 8th day of June, 1928.

Leon Whittell
Ch. Seaver
Emmanuel
John D. Lattin
W. J. Carr
 Commissioners.