

Decision No. 20003

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 an industry spur track  
 across a drill track owned jointly  
 by the Southern Pacific Company and  
 The Atchison, Topeka and Santa Fe  
 Railway Company at Fresno, County  
 of Fresno, State of California.

Application No. 14808.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 19th day of June, 1928, asking for permission to construct a spur track at grade across a drill track owned jointly by the Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, a corporation, at the City of Fresno, County of Fresno, California, as hereinafter indicated, and it appearing to the Commission that this is not a matter in which a public hearing is necessary, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said drill track 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 a drill track owned, jointly by Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company in the City of Fresno, County of Fresno, State of California, at a location described as follows:

That certain track crossing, the center of which is located 62 feet, more or less, at right angles easterly from the center line of the eastbound main track of The Atchison, Topeka and Santa Fe Railway Company in East Street, Fresno, and 600 feet, more or less, at right angles northerly from the center line of the main track of the Southern Pacific Railroad Company in California Avenue;

and as shown by map (M.W.D. Drawing No. 6360, Sheet No. 1) attached to the application, 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 shall be borne by applicant.

(2) Applicant shall, within ninety (90) days of the date of this order, file with the Commission a duly executed copy or copies of agreement or agreements with The Atchison, Topeka and Santa Fe Railway Company, covering the terms of installation, operation and maintenance of said crossing.

(3) All trains, motors, engines or cars of applicant shall stop before crossing said jointly used track and shall not proceed thereover until it has been ascertained that it is safe so to do.

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

(5) 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.

(6) 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.

For all other purposes the authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this \_\_\_\_\_ day of July, 1928.

Leon Whiteley

W. Stearns  
Frank C. Coats

Frank C. Coats

M. J. C.

Commissioners.