

Decision No. 20093

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 Park Boulevard at Orange Cove, in the County of Fresno, State of California.</p>	)
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Application No. 14903.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 21st day of July, 1928, asking for authority to construct a spur track at grade across Park Boulevard in the Town of Orange Cove, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit ( dated June 25, 1928) has been granted by 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 Park Boulevard 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 Park Boulevard in the Town of Orange Cove, County of Fresno, State of California, at the location hereinafter particularly described and as shown by the map (Division Engineer's Drawing No. V-18-251) attached to the application.

Description of Crossing

Commencing at a point in the southerly boundary line of Park Boulevard, said point being 18 feet southwesterly from the center line of the main track of the Minkler Southern Railway and opposite Engineer's Station 448 plus 62.6; thence northwesterly parallel to and 18 feet southwesterly from the center line of said main track a distance of 27.7 feet; thence on a 10 degree curve concave northeasterly a distance of 28 feet; thence on tangent to said curve a distance of 14.7 feet; thence on a 7 degree 30 minutes curve concave southwesterly a distance of 21.1 feet to point of ending in the northerly boundary of said Park Boulevard."

The above crossing shall be identified as a portion of Crossing No. 2M-12.0.

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. 3, 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 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 two (2) 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 7<sup>th</sup> day of August, 1928.

Leon Whitall  
C. Cheney  
Thos. D. Lott

Commissioners.