

Decision No. 29096

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
The Atchison, Topeka and Santa Fe
Railway Company, a corporation, for
authority to construct an extension to
passing track across the County Road
at Parlier, County of Fresno, State
of California.

Application No. 14906.

ORIGINAL

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 July, 1928, asking for authority to construct a passing track at grade across the County Road in the vicinity of Parlier, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (dated July 6th, 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 County Road 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 passing track at grade across the County Road in the vicinity of Parlier, County of Fresno, State of California, at the location hereinafter particularly described and as shown by

the map (Division Engineer's Drawing No. V-18-248) attached to the application.

Description of Crossing

Beginning at a point 30 feet westerly, measured along the main line of The Atchison, Topeka and Santa Fe Railway Company and 14 feet at right angles northerly from the center line of said main line track, from the intersection of the township line common to Township 15 South, Range 22 East, M.D.M. and Township 15 South, Range 23 East, M.D.M. and the center line of said main line track; said point of beginning being opposite Engineer's Station 890 plus 38.0 and in the westerly boundary line of the county road paralleling said township line; thence easterly parallel to and 14 feet northerly from the center line of said main line track a distance of 55 feet to point of ending in the easterly boundary line of said County Road.

The above crossing shall be identified as a portion of Crossing No. 2V-53.1.

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 of a width to conform to that portion of said road now graded, with the tops of rails at same elevation as main line rails and flush with the roadway, and with grades of approach not exceeding four (4) 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) At such times as cars are allowed to stand on said

passing track within one hundred and fifty (150) feet of either property line of said County Road, a member of the train crew or other competent employee shall protect the traffic on said county road by acting as a human flagman for all trains, engines, motors or cars operating over said county road on the main line track.

(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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 9th day of August, 1928.

Leon Whitcomb
C. S. Sweeney
Paul S. Loring

Commissioners.