

Decision No. 20108.

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 relocate that portion of trackage shown by dotted white line on attached print to a location as shown in solid red line thereon across the County Road at Cressy, in the County of Merced, State of California.

ORIGINAL

Application No. 14880.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 13th day of July, 1928, asking for authority to relocate a yard track at grade across a County Road in the vicinity of Cressy, County of Merced, State of California, as hereinafter set forth. The necessary franchise or permit (dated July 2nd, 1928) has been granted by the Board of Supervisors of said County for the relocation 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 yard track at grade across a

County Road in the vicinity of Cressy, County of Merced, State of California, at the location hereinafter particularly described and as shown by the map (Division Engineers Drawing No. V-18-250) attached to the application.

Description of Crossing.

Beginning at a point in the section line common to sections 8 and 9 of Township 6 South, Range 12 East, M.D.B. & M., 324.5 feet northerly from the southerly section corner common to said sections, said point being in the easterly boundary of the County Road and opposite Engineer's Station 2844 plus 85.3; thence northwesterly parallel to and 43 feet northeasterly from the center line of the main track of applicant herein, a distance of 75.34 feet to point of ending in the westerly boundary of said County Road, all of which is shown on print in red.

The above crossing shall be identified as a portion of Crossing No. 2-1169.1.

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 flush with the roadway, and with grades of approach not exceeding three (3) 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 remove the track shown in dotted white on the map (Division Engineers Drawing No. V-18-250) attached to the application, in so far as it lies in said County

Road, and shall repair the street to conform to the remainder thereof.

(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 14th day of August, 1928.

Leon White

Chase

Thos D. Loring

M. A. Cunn
Commissioners.