

Decision No. 21359.

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 side track across Lake Avenue in the unincorporated town of Armona, County of Kings, State of California.

**ORIGINAL**

Application No. 15770.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 1st day of July, 1929, asking for authority to construct a side track at grade across Lake Avenue in the Town of Armona, County of Kings, State of California, as hereinafter set forth. The necessary franchise or permit 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 Lake 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 side track at grade across Lake Avenue in the Town of Armona, County of Kings, State of California, at the location hereinafter particularly described and as shown by the map (San Joaquin

Division Drawing No. A 3761) attached to the application.

Description of Crossing.

Commencing at a point in the East line of Lake Ave., said point being 170 feet, plus or minus, south of the southeast corner of Lake Ave. and Front Street, thence westerly 60 feet, plus or minus, on a curve to the right, with a radius of 458 feet, plus or minus, to a point on the West line of Lake Ave., said point being 160 feet, plus or minus, South of the Southwest corner of Lake Ave. and Front Street.

The above crossing shall be identified as a portion of Crossing No. B.D.-229.5.

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 super-elevation and of a width to conform to that portion of said avenue 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 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 yellow on the map (San Joaquin Division Drawing No. A. 3761) attached to the application, 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 7<sup>th</sup> day of July, 1929.

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*Al. J. ...*  
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*Leon Whitell*  
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*M. A. ...*  
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 Commissioners.