

Decision No. 15980

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
 SOUTHERN PACIFIC COMPANY for an
 order authorizing the construction
 at grade of a spur track across two
 tracks of The Atchison, Topeka and
 Santa Fe Railway Company, near Fresno,
 County of Fresno, State of California.

Application No. 15980.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission asking for permission to construct a spur track at grade across two tracks of The Atchison, Topeka and Santa Fe Railway Company, a corporation, within the City of Fresno, County of Fresno, State of California, as hereinafter indicated. The Atchison, Topeka and Santa Fe Railway Company has consented, in writing, to the construction of said crossings and it appearing that it is not reasonable nor practicable to avoid a grade crossing with said tracks; that this is not a matter in which a public hearing is necessary and that this application should be granted, 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 two tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Fresno, County of Fresno, State of California.

Said crossing being more particularly described as located near the easterly side of the west half of the northeast

quarter of the southeast quarter of Section 10, T.14 S., R.20 E., M.D.B.M., as shown on copy of San Joaquin Division Drawing B-3005 attached to the application.

Said crossings to be constructed subject to the following conditions:

(1) The entire expense of constructing the crossings together with the cost of their maintenance thereafter in good and first class condition shall be borne by Southern Pacific Company.

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

(3) All trains, motors, engines or cars of applicant shall stop before crossing the tracks of The Atchison, Topeka and Santa Fe Railway Company and shall not proceed thereover until it has been ascertained that it is safe so to do.

(4) All trains, motors, engines or cars of The Atchison, Topeka and Santa Fe Railway Company shall stop before crossing the track of applicant and shall not proceed thereover until it has been ascertained that it is safe so to do.

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

(6) If said crossings 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.

(7) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 15th day of November, 1929.

Thomas D. Lott
Al Seaver

Leon White
W. J. Cunn
 Commissioners.