

Decision No. 21947.

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 Peach Avenue in the vicinity of Goldleaf Station, County of Fresno, State of California.

Application No. 16129.

BY THE COMMISSION:

ORIGINALC R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 29th day of November, 1929, asking for authority to construct a side track at grade across Peach Avenue in the vicinity of Goldleaf Station, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated November 7, 1929,) 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 Peach 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 Peach Avenue in the vicinity of

Goldleaf Station, County of Fresno, State of California, at the location hereinafter particularly described and as shown by the map (San Joaquin Div'n. Drawing A-3910) attached to the application.

Description of Crossing

Commencing at the southeast corner of Section 7, Township 14 South, Range 21 East, M.D.B. & M.; thence South $86^{\circ} 28'$ West along the south line of said Section 7 a distance of 20 feet to an intersection with the west line of County Road (Peach Avenue); thence North along last described line a distance of 48 feet to center line of proposed Team Track hereinafter described; thence in a northeasterly direction along a circular curve to the right (the tangent to which bears North $86^{\circ} 48-1/2'$ East at last described point) having a radius of 11459.17 feet a distance of 40.1 feet to an intersection with the east line of said County Road (Peach Avenue) to end of center line of proposed Team Track hereinbefore described.

The above crossing shall be identified as a portion of Crossing No. BC-210.0.

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. 2, in General Order No. 72 of this Commission and shall be constructed 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 roadway, 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, at its option, install a Standard No.3 wigwag as specified in General Order No. 75 or shall adopt a rule prohibiting the storage or standing of cars on said side track within 100 feet of Peach Avenue unless protected by a member of the train crew acting as flagman.

(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 28th day of December, 1929.

Thomas D. Leland
Commissioner
Leon Whiteley
Commissioner
 Commissioners.