

Decision No. 22699.

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, main-
tain and operate a standard gauge
railroad track across Santa Fe
Avenue, in the City of Fresno,
County of Fresno, State of California.

ORIGINAL

Application No. 16741.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 17th day of July, 1930, asking for authority to construct a drill track at grade across Santa Fe Avenue in the City of Fresno, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 1667) has been granted by the Commission of the City of Fresno 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 Santa Fe 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 The Atchison, Topeka and Santa Fe

Railway Company to construct a drill track at grade across Santa Fe Avenue in the City of Fresno, County of Fresno, State of California, at the location hereinafter particularly described and as shown by the map (Division Engineer's Drawing No. V-18-272) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the northerly line of said Santa Fe Avenue 305 feet easterly from the center line of Inyo Street; thence crossing said Santa Fe Avenue in a westerly direction to make a connection at a point 95 feet westerly from said center line of Inyo Street, to industry track No. 54 now lying in said Santa Fe Avenue.

The above crossing shall be identified as a portion of Crossing No. 2-997.93-C.

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 superelevation and of a width to conform to that portion of said avenue now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding one (1) 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) No train, engine, motor or car shall be operated over said crossing unless said train, engine, motor or car shall

be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

(4) Applicant shall abolish Crossing No. 2-997.93-C as it now exists across said Santa Fe Avenue, and shall repair the pavement to conform to the remaining portion thereof.

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

(6) 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.

(7) 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 2nd day of July, 1930.

Ch. Seaman
George A. ...
Leon ...

Commissioners.