

Decision No. 23022.

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 spur track across Maple Avenue near Fresno, in the County of Fresno, State of California.

Application No. 15970.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 22nd day of October, 1930, asking for authority to construct a spur track at grade across Maple Avenue in the vicinity of Calwa, County of Fresno, State of California, as hereinafter set forth. The necessary franchise or permit (dated October 3, 1930,) 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 Maple 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 spur track at grade across Maple Avenue in the vicinity of Calwa, County of Fresno, State of California, at the location

hereinafter particularly described and as shown by the map (Drawing No. AB-4112) attached to the application.

DESCRIPTION OF CROSSING

Commencing at the intersection of the Southerly line of North Avenue with the Westerly line of Maple Avenue, Fresno County, California; thence South along the Westerly line of Maple Avenue, a distance of 248.0 feet to point of beginning of crossing; thence Easterly at right angles to said westerly line of Maple Avenue, a distance of 60.0 feet to Easterly line of Maple Avenue, and end of crossing described.

The above crossing shall be identified as Crossing No. B-209.40-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. 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 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, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.
- (4) 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.
- (5) 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

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 October, 1930.

P. L. Sawyer

Leon O'Connell

Frank S. ...

Commissioners.