

Decision No. 23585.

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 a portion of
 a proposed side track at grade across
 Maple Avenue at Calwa, in the County
 of Fresno, State of California.

Application No. 17318.

ORIGINAL

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on April 22nd, 1931, applied for authority to construct a passing track at grade across Maple Avenue in the vicinity of Calwa, County of Fresno, State of California.. The necessary franchise or permit (Permit dated March 17, 1931) has been granted by the Board of Supervisors of said County for the construction of said crossing at grade. It appearing that a public hearing is not necessary herein; 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 and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct a passing track at grade across Maple Avenue, in the vicinity of Calwa, County of Fresno, State of California, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions:

- (1) The above crossing of Maple Avenue shall be identified as a portion of Crossing No. 2V-68.0.
- (2) The entire expense of constructing and thereafter

maintaining the crossing in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.

- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, 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 six (6) per cent, and shall be protected by a Standard No. 1 crossing sign as specified in our General Order No. 75.
- (4) At all times that cars are allowed to stand on said passing track within one hundred and fifty (150) feet of the center line of Maple Avenue, no train, motor, engine or car shall be operated across said Maple Avenue unless highway traffic be protected by a member of train crew or other competent employee acting as flagman, or by a Standard No. 3 wigwag as specified in our General Order No. 75.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and its compliance with the conditions hereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 11th day of May, 1931.

C. S. ...
W. A. ...
Fred G. Stewart
 Commissioners.