

Decision No. 24394.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of the People of the State of California on relation of the Department of Public Works, for an order authorizing the alteration and reconstruction of crossings at grade of certain spur tracks of the Southern Pacific Railroad in Kingsburg, Fresno County, California.

Application No. 17864.

ORIGINAL

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on December 17th, 1931, applied for authority to alter and reconstruct two crossings at grade of State Highway known as Road VI-Fre-4-D across two spur tracks of Southern Pacific Company in the City of Kingsburg, Fresno County. The proposed reconstruction also will involve a slight change in the alignment of one of the spur tracks across Ten Street in said City of Kingsburg. Southern Pacific Company has signified, in writing, that it has no objection to the reconstruction of said crossings and the application states that applicant is willing to bear the entire cost of the work, excepting the cost of installing new ties and rail or other similar improvements to the exclusive benefit of the railroad.

It appears that a public hearing is not necessary herein and that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings with said tracks at the points mentioned and that the application should be granted, subject to certain conditions; therefore,

IT IS HEREBY ORDERED that the People of the State of

California, on relation of the Department of Public Works, are hereby authorized to alter and reconstruct the crossings hereinabove referred to, in the City of Kingsburg, Fresno County, in accordance with and in the manner described in the application and at the locations shown on the map attached to the application, subject to the following conditions and not otherwise:

- (1) The above crossings shall be identified as Crossing No. B-225.0-C, Crossing No. B-225.35-C and Crossing No. B-225.4-C.
- (2) Southern Pacific Company shall bear the expense of all track reconstruction work, including rails, ties, ballast and steel guard rail, necessary to receive pavement. The remainder of the expense shall be borne by applicant. The cost of maintenance of said crossings outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of the crossings between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.
- (3) The crossings shall be constructed of a width not less than thirty (30) feet and may be constructed to the full graded width of said highway, at an angle to the track as shown on the above referred to map, and with grades of approach not greater than one (1) per cent; shall be constructed equal or superior to type shown as Standard No. 3, in our General Order No. 72, and each shall be protected by two Standard No. 1 crossing signs, as specified in our General Order No. 75; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of its compliance with the conditions hereof.
- (5) 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.

- (6) 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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 12th day of January, 1932.

Cl. Seavey
Leon White
W. J. Carr
M. B. Harris
Fred E. Stewart

Commissioners.