

ORIGINAL

Decision No. 10024

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of
Southern Pacific Company for per-
mission to construct a spur track at
grade across Central Avenue at Malaga
County of Fresno, State of California.)

) Application No. 7443.

By The Commission:

O R D E R

Southern Pacific Company, a corporation, having on December 29, 1921 filed with the Commission an application for permission to construct a spur track at grade across Central Avenue at Malaga, County of Fresno, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Board of Supervisors of said County of Fresno for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Central Avenue, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct a spur track at grade across Central Avenue at Malaga, County of Fresno, State of California, described as follows:

Commencing at a point in the southerly boundary line of the County road along the section line between Sections 30 and 31, Township 14 South, Range 21 East, M.D.B. & M., said point of commencement being located easterly 18 ft. from, measured at angle to center line of main track of Central Pacific Railway Company at Engineer Station 6193

plus 31; thence in a northerly direction parallel to said Central Pacific Railway Company's main track center line and 18 ft. easterly therefrom 80 ft. more or less to an intersection with the northerly boundary line of said County road,

all of the above as shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz:

(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 of a width and type of construction to conform to that portion of Central Avenue now graded, with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe 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) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order 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 proper, and to revoke its permission if, in its judgment, the public convenience

and necessity demand such action.

Dated at San Francisco, California, this 30 day of January,
1922.

H. B. Boudier
H. D. Boudier

J. F. Boudier
Commissioners.