

Decision No. 10747

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of)	
The Atchison, Topeka and Santa Fe)	
Railway Company for permission to con-)	Application 8073
struct a spur track at grade across)	
McKinley Avenue in the County of)	
Fresno, State of California.)	

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on July 19, 1922, filed with the Commission an application for permission to construct a spur track at grade across McKinley Avenue in the 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 permit has been granted by 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 McKinley 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 The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across McKinley Avenue in the County of Fresno, State of California, described as follows:

Commencing at a point in the center of Main Track, distant 119.68 ft. northwesterly from the center line of McKinley Avenue, thence southeasterly on a curve to the right having a radius of 955.37 ft. a distance

of 86.17 ft., thence on a curve to the right having a radius of 573.69 ft. a distance of 55 ft. to the south line of McKinley Avenue.

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 McKinley Avenue now graded, with grades of approach not exceeding five (5) 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 21st day of July, 1922.

H. H. Brandeis
George Martin
Charles H. Jones
J. S. Hendrick
Commissioners.