

Decision No. \_\_\_\_\_.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of  
THE ATCHISON, TOPEKA & SANTA FE RAIL-  
WAY COMPANY for permission to construct  
a spur track extension across Tyler  
Avenue, near the City of Fresno, Fresno  
County, California.  
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ORIGINAL

Application No. 2034.

By the Commission.

O R D E R

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, having on January 3, 1916 filed with the Commission an application for permission to construct a spur track extension across Tyler Avenue, near the City of Fresno, Fresno County, 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 proposed crossing is not within an incorporated town or city, hence no franchise for its construction at grade is needed; and it further appearing that it is not reasonable nor practicable to avoid grade crossing with said Tyler Avenue, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct its spur track extension at grade across Tyler Avenue, near the City of Fresno, Fresno County, California, on the east side of its main line track approximately parallel thereto, and twenty-five (25) feet therefrom, as shown by the map attached to the application, said spur track to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing this crossing, together with the cost of its maintenance thereafter in good and

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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 to conform with that portion of Tyler Avenue now graded, with grades of approach not exceeding four (4) per cent, and shall be protected with a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) 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 4th day of January, 1916.

Max Thelen

W. H. Loveland

W. L. Gordon

John R. Devlin

Commissioners.