

Decision No. _____.

ORIGINAL

Decision No. 3797

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the appli-)
cation of SOUTHERN PACIFIC)
COMPANY for permission to)
construct a passing track at)
grade across a county road)
at Muscatel, Fresno County,)
California.)
.....)

Application No. 2595.

By the Commission.

O R D E R.

SOUTHERN PACIFIC COMPANY, a corporation, having on October 13, 1916, filed with the Commission an application for permission to construct a passing track at grade across a county road at Muscatel, 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 the limits of an incorporated town or city and no franchise is needed 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 county road; and that this application should be granted subject to the conditions hereinafter specified:

IT IS HEREBY ORDERED, That permission hereby be granted Southern Pacific Company to construct a passing track at grade across a county road at Muscatel, Fresno County, California, described as follows:

"Commencing at a point distant 13 feet at right angles southwesterly from the center line of the main track of the Central Pacific Railway as it

now exists and opposite engineer's station 5632 plus 31.9, said beginning point being in the northerly line of a county road along the section line common to sections 13 and 24 T13S R19E M D B and M; thence from said beginning point S 41° 42' E parallel and distant 13 feet. From the center line of said main track 79.76 feet to the southerly 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 the county road now graded, with grades of approach not exceeding four (4) 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) 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 18th day of October, 1916.

H. D. Howard

Edwin O. Edgerton

Frank R. Goble

Commissioners.