

ORIGINAL

Decision No. 4315

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY for permission to construct a spur track at grade across Ventura Avenue near Santa Fe Avenue, in the City of Fresno, Fresno County, California.
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Application No. 2900.

By the Commission.

ORDER

THE ATCHISON, TOPEKA and SANTA FE RAILWAY COMPANY, a corporation, having on May 8, 1917, filed with the Commission an application for permission to construct a spur track at grade across Ventura Avenue near Santa Fe Avenue in 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 necessary franchise or permit has been granted by the City 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 Ventura 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 a spur track at grade across Ventura Avenue near Santa Fe Avenue in the City of Fresno, Fresno County, California, described as follows:

"Commencing at a point at or near the north curb line of Ventura Street, and proceeding southerly along and diverging from the present A.T. & S.F. railroad industrial track to a point about 15 feet west of the present track on the southerly curb line of Ventura

Street, and entering upon the property of said Robert Kennedy; said property being located at the corner of P and Ventura Streets, in the City of Fresno."

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 Ventura Avenue 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 11th day of May, 1917.

Max Theobald

Wm. Gordon

Edwin O. Edgerton

Frazer R. Werlmi

Commissioners.