

Decision No. 518

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of BOARD OF TRUSTEES for permission to construct three street crossings at grade across the tracks of Central Pacific Railway Company in the town of Fowler, Fresno County, California.
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Application 397.

O R D E R

By the Commission.

BOARD OF TRUSTEES, town of Fowler, Fresno County, California.

having on February 6, 1913, filed with the Commission an application for permission to construct three (3) street crossings at grade across the tracks of Central Pacific Railway Company as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary, that applicant has secured an easement from said Company, dated December 17, 1912, authorizing the construction of said crossings, and it further appearing that applicant has agreed with said Company as to the division of expense of construction and maintenance hereafter of said crossings, as shown by letters of March 14, and March 21, submitted with the application; and it further appearing that it is not reasonable nor practicable to avoid grade crossings of said streets with said tracks, and that the application should be granted subject to conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be hereby granted Board of Trustees, town of Fowler, Fresno County, California, to construct Vine, Merced and Mariposa streets across the tracks of Central Pacific Railway Company in said town, as shown by the map attached to the application, and subject to the following conditions, viz.:

- (1) The cost of constructing the approaches to the crossings together with the expense of their maintenance hereafter in good and first-class condition for the safe and convenient use of the public, up to within two (2) feet on each side of the rails of said tracks, shall be borne by applicant. The cost of constructing the crossings in good and first-class condition across and between the tracks, and to a distance of two (2) feet outside of the rails thereof, together with their maintenance hereafter, shall be

borne by said Company.

(2) The crossings shall be constructed of a length (parallel with the track) of not less than thirty-six (36) feet, with grades of approach not exceeding six (6) per cent, and shall be ballasted with stone or gravel ballast, or oiled macadam, to a depth of not less than six (6) inches.

(3) A standard crossing bell and signal shall be installed at Merced Street for the warning and protection of traffic, one-half (1/2) of the cost of installation of which, shall be borne by applicant. The other one-half (1/2) of the cost of installing said bell, together with the expense of hereafter maintaining same in first-class condition, shall be borne by said Company.

(4) As a condition precedent to granting this application applicant shall abandon and close to public use the present crossing at Tuolumne Street over the tracks of said Company.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 24th day of March, 1913.

John M. Eshleman
H. D. Loveland
Max Sullivan
Edwin O. Edgerton

Commissioners.