

ORIGINAL

Decision No. 52218

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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 authority to con-)
 struct a temporary spur track across) Application No. 3627.
 Hamilton Avenue in the City of Fresno,)
 County of Fresno, California.)

By the Commission.

ORDER.

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY having on March 26, 1918, filed with the Commission an application for permission to construct a temporary spur track across Hamilton Avenue in the City of Fresno, County of Fresno, 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 Board of Trustees of the City of Fresno has granted its permission for this construction to be made; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said avenue, and that this application should be granted subject to certain conditions;

IT IS HEREBY ORDERED, That permission be hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct a temporary spur track across Hamilton Avenue, in the City of Fresno, County of Fresno, California, described as follows:

A spur on a curve concave easterly with a radius of 478.34 feet enters Hamilton Avenue at a point 160 feet, more or less, east of the east line of Pearl Street and continues on said curve 30.5 feet, more or less, thence on a curve concave westerly with a radius of 478.34 feet, 30 feet more or less, leaving Hamilton Avenue at a point 165 feet, more or less, east of the east line of Pearl Street.

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 to conform to that portion of the avenue to be crossed 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 28th day
of March, 1918.

Max Thelen

A. J. Howard

W. J. Gordon

Frank R. Dyer

Commissioners.