

ORIGINAL

Decision No. 5448

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

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of	}	Application No. 3773.
SOUTHERN PACIFIC COMPANY for an order		
authorizing the construction of a spur		
track at grade across Van Ness Boule-		
vard near the City of Fresno, County of		
Fresno, State of California.	}	
.....	}	

By the Commission.

ORDER

SOUTHERN PACIFIC COMPANY, a corporation, having on May 21, 1918, filed with the Commission an application for permission to construct a spur track at grade across Van Ness Boulevard near 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 proposed crossing is not within the limits of an incorporated town or city and no franchise is required for its construction at grade; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said boulevard and that this application should be granted subject to the conditions hereinafter specified:

IT IS HEREBY ORDERED, That permission be and the same hereby is granted SOUTHERN PACIFIC COMPANY to construct a spur track at grade across Van Ness Boulevard near the City of Fresno, County of Fresno, California, described as follows:

Beginning at the point of intersection of the easterly line of Van Ness Boulevard and the center line of Dorsey-Parker spur track, said point being at right angles northeasterly from

Central Pacific Railway Company's Engineer Station 5995 plus 72/5 and distant 13 feet therefrom, thence in a westerly direction on an irregular curve concave to the north, a distance of 130 feet, more or less, to a point in the westerly line of Van Ness Boulevard, said point being distant southerly 38 feet, more or less, from the point of intersection of the westerly line of Van Ness Boulevard and the easterly right of way line of the Central Pacific Railway Company as measured along the westerly line of Van Ness Boulevard.

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 boulevard 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 21<sup>st</sup> day  
of May, 1918.

Max Thelen

H. W. Howard

Geo. Gordon

Edwin C. Edgerton

Stuart R. Devine

Commissioners.