

ORIGINAL

Decision No. 594

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of BOARD OF SUPERVISORS, Fresno County, California, for permission to construct a public highway at grade across the track of Southern Pacific Railroad Company, between stations Invita and Butler, in said County.
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Application 499.

ORDER

By the Commission.

BOARD OF SUPERVISORS, Fresno County, California, having on April 11, 1913, filed with the Commission an application for permission to construct a public highway at grade across the track of Southern Pacific Railroad Company, between stations Invita and Butler, in said County, 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 filed an easement, dated December 19, 1912, executed by Southern Pacific Railroad Company, authorizing the construction of said public highway at grade across its track; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said track, and that the application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED that permission be hereby granted Board of Supervisors, Fresno County, California, to construct a public highway at grade across the track of Southern Pacific Railroad Company, between stations Invita and Butler, on the San Joaquin Division of said Company, at Engineer Station 163 + 29, as shown by the map attached to the application, and subject to the following conditions, viz.:

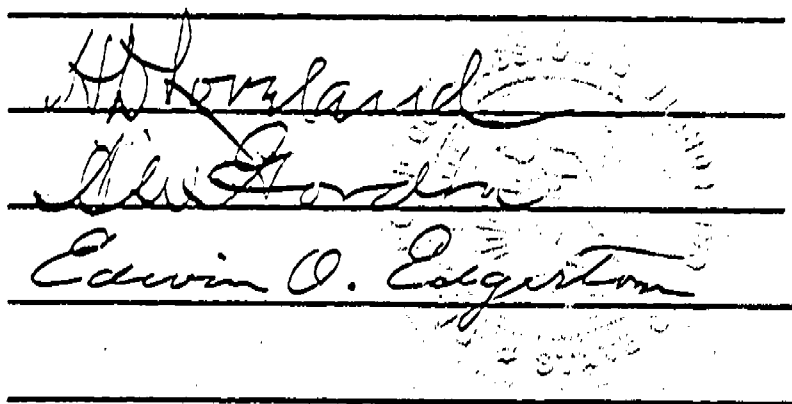
- (1) The entire expense of constructing the crossing in a good and first-class condition for the safe and convenient use of the public shall be borne by applicant.
- (2) The expense of hereafter maintaining the crossing in a safe condition for the passage thereover of highway traffic, on each side of the railroad and up to within two (2) feet of the rails thereof, shall be borne by applicant. The expense of main-

taining the crossing over and across the track and to a distance of two (2) feet outside of the rails thereof, shall be borne by Southern Pacific Railroad Company.

(3) Said crossing shall be constructed of a width (parallel with the track) of not less than twenty-four (24) feet, with grades of approach not exceeding six (6) per cent, and shall be ballasted with first-class stone or gravel ballast across, and to a distance of not less than twenty (20) feet on each side of the track.

(4) 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 demands such action.

Dated at San Francisco, California, this 19th day of April, 1913.



Commissioners.