

Decision No. 6003.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of the CITY OF SELMA for order ) Application No. 3964.  
authorizing change of location of )  
Arrants Street crossing. )

Joel H. Smith, Attorney for City of Selma.  
Frank B. Austin for Southern Pacific Company.  
F. M. Worthington for Southern Pacific Company.  
P. T. Robinson for Southern Pacific Company.

GORDON, Commissioner.

O P I N I O N

This is an application, filed July 17, 1918, in which the City of Selma asks permission to close the present crossing of Arrants Street over the Southern Pacific Company tracks and to open a new crossing some seventy or eighty feet further north, with an automatic flagman for protection.

A hearing was held on December 3, 1918 at Selma. From the testimony submitted it appears that the present crossing is located alongside of Castle Brothers Packing House and that the view to the south is shut off completely when approaching the tracks from the east. The City of Selma has purchased parts of Lots 50, 51 and 52 of Walker Addition, in order to move the crossing away from the packing house and open up the view at this corner. It is also the intention of the City to pave East Front Street in the future and to make the new Arrants Street crossing the main entrance to the city from the north, the main residence section being east of this crossing. The City also intends to keep the land vacated at the site of the present cros-

ing free from buildings and obstructions.

The Southern Pacific Company is also in favor of moving the crossing as petitioned for by the City, but does not believe that an automatic flagman is necessary. In view of the fact that this will be one of the main crossings within the city, that the view at the southeast corner of the crossing by Castle Brothers Packing House will not be greatly improved by moving the crossing only seventy or eighty feet to the north, and also considering that the Engineering Department of this Commission, in its statewide investigation of grade crossings, recommended that an automatic flagman be placed at this point, I believe that the automatic flagman should be installed as petitioned by the City and that the cost of installing same should be divided equally between the Southern Pacific Company and the City of Selma.

As the proposed crossing will in every way be better than the crossing now used, I believe it should be moved north as applied for.

During the hearing considerable testimony was taken on the condition of the grade crossing at North Street, which is the next crossing south of Arrants Street. It appears that the view of the tracks to the right or left is completely blanketed by the warehouses, which are built on each corner of the intersection of street and right of way rendering the crossing exceedingly dangerous. It was unanimously considered the most dangerous crossing in Selma and a menace to everyone using it. During the statewide investigation of grade crossings, the Engineering Department of this Commission recommended that an automatic flagman be installed by the Southern Pacific Company at this crossing. This recommendation has not been carried out and the crossing is still unprotected, except for the usual crossing sign. In view of the fact that there has been one accident on

this crossing and that others are likely to occur at any time, I am going to go further than the Engineering Department did ~~there~~ and recommend that the City of Selma abandon and close this crossing to public travel, the expense of so doing to be borne by the Southern Pacific Company.

I recommend the following form of order:

O R D E R

The CITY OF SELMA having, on July 17, 1918, applied to this Commission for permission to move the Arrants Street crossing within said city, as shown on the map accompanying the application, and to protect the new crossing by an automatic flagman; and a public hearing having been held, in which all interested parties were represented, and it appearing that the application should be granted subject to certain conditions hereinafter specified:

IT IS HEREBY ORDERED, That the City of Selma be and the same is hereby granted permission to close the present Arrants Street crossing, in the City of Selma, County of Fresno, State of California, and to open and construct a new crossing at grade some seventy (70) or eighty (80) feet north of the present crossing, as shown on the map accompanying the application, and subject to the following conditions, viz.:

- (1) The entire expense of constructing the new crossing and abandoning the present crossing shall be borne by the applicant. The expense of maintaining the new crossing in good and first-class condition, for the safe and convenient use of the public, shall be borne by applicant, except for that portion between the rails and two (2) feet outside thereof, which shall be borne by the Southern Paci-

Company.

(2) The expense of installing an automatic flagman shall be divided equally between the applicant and the Southern Pacific Company. The expense of its maintenance thereafter shall be borne by the Southern Pacific Company.

(3) Said crossing shall be constructed of a width of not less than twenty-four (24) feet, with grades of approach not exceeding two (2) percent; shall be protected by a suitable crossing sign and the automatic flagman hereinbefore mentioned; and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(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 demand such action.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 21<sup>st</sup> day of December, 1918.

Edwin O. Edgerton  
H. S. Howard  
Alex. Gordon  
Frank R. DeVol

Commissioners.