

Decision No. 6855.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )  
the COUNTY OF FRESNO, in the State of )  
California, for a permit to construct )  
and maintain a public highway crossing )  
over the right of way and tracks of the ) Application No. 4626.  
Southern Pacific Railroad Company on )  
Main Street, in Raisin City, Fresno )  
County, California. )

H. J. Carlin and Charles Wells for Applicant.

Harry T. Hennessy for United States Railroad  
Administration-Southern Pacific Company.

MARTIN, Commissioner.

O P I N I O N

In this application Fresno County seeks permission to construct a crossing at grade over the right of way and tracks of the Southern Pacific Company on Main Street, in Raisin City, Fresno County.

The Raisin City station grounds of the Southern Pacific Company are located in the northwest quarter of Section 28, T. 15 S., R. 20 E., M. D. B. & M., Main Street is an east and west road running west of the railroad through the center of the north half of Section 28. There is also an unnamed road east of the railroad in the northwest quarter of Section 27 which is in direct line with Main Street. The object of Fresno County in this application is to connect these two

roads. The proposed crossing will cut diagonally over three tracks and across the station grounds of the railroad company.

There is at the present time a north and south crossing through the station grounds on Palm Avenue. This crossing and the proposed crossing meet at a common point near the west line of the station grounds. Palm Avenue commences at the south line of Section 28 and runs north to the north line of the section, where it connects with Manning Avenue, an east and west road running east for several miles. North of the station grounds, between Sections 27 and 28, is Hayes Avenue, a north and south road also several miles long, which is as yet unimproved between the east side of the proposed Main Street crossing and Manning Avenue.

It will thus be seen that Manning Avenue, Palm Avenue and Hayes Street, if the latter is improved, will form a square with the two lower corners near the edges of the railroad right of way, just outside of the proposed crossing. In other words, all through travel west on Manning Avenue to Main Street, and vice versa, will have the choice of two routes of identical length on two diagonal crossings over three tracks, in case the proposed crossing is opened and Hayes Avenue is improved. If Hayes Avenue is not improved, the next avenue east could be used with identical results, except that the figure formed would be a rectangle.

It is obvious that for through travel either one of these crossings would suffice. It is therefore necessary to consider them only from the point of view of local travel.

The Main Street crossing is desired by a number of farmers living or owning land in Sections 26, 27 and 35, lying

east of the railroad. These people trade in Raisin City, west of the tracks. At present they have to travel, through sufferance on the part of the railroad company, along the northeasterly side of the station grounds to the north end of the Palm Avenue crossing, where they turn south and cross the railroad and arrive at Main Street. This route entails about twelve hundred feet more travel than the route directly over the Main Street crossing. Evidently, local travel would be very much inconvenienced by this crossing. It now remains to be seen if, by proper planning for the future, one of these crossings could not be made satisfactory for all needs. It has been shown that either crossing would do for through travel. We will now consider the local travel over Palm Avenue: Palm Avenue does not extend north of Manning Avenue and therefore cannot serve any local travel north of this point, except by going east one quarter of a mile to Hayes Avenue and north on Hayes Avenue. Obviously, if Hayes Avenue were improved between Manning Avenue and Main Street as suggested, northbound local travel would be equally well-served by the Main Street crossing. The same is true of local traffic east on Manning Avenue or west on Main Street. It was testified to and has been shown that the Palm Avenue crossing was not convenient to those people farming Sections 26, 27 and 35, lying east of the track. It is true that the local traffic using the Palm Avenue crossing, which originates between Hayes and Palm Avenues on Manning Avenue, and especially that portion of the traffic originating close to the crossing, would be inconvenienced by the closing of the Palm Avenue crossing.

Unfortunately, the Union Oil Company's local distributing plant is located at the north end of the Palm Avenue crossing. From this plant, trucks distribute supplies to farmers for a radius of about ten miles. The only traffic to or from the oil company that would be inconvenienced by the closing of the Palm Avenue crossing would be that to the west of the track. If the present road along the east side of the station grounds were left open to travel, the inconvenience to the oil company and its patrons would not be so very great, as the detour required to cross the track would be considerably lessened.

In the near future Fresno County intends to pave Manning and Palm Avenues, as a part of a county system of highways. It would appear to be the better policy to pave the roads in the vicinity of Raisin City as will be most convenient to the public and the local people. The engineering department of the Commission, which has given this matter considerable thought, recommends that Manning Avenue be paved to Palm Avenue, that Hayes Avenue be paved from Manning Avenue south to Main Street and that Main Street be paved west as far as Palm Avenue and that either Main Street or Palm Avenue be paved from this point. It also recommends that the Main Street crossing be opened and that the Palm Avenue crossing be closed.

#### O R D E R

FRESNO COUNTY, having on May 27, 1919, filed with the Commission an application for permission to construct a public highway crossing at grade across the tracks of the

Southern Pacific Company on Main Street in Raisin City, Fresno County, California, as shown by the map attached to the application; a public hearing having been held and it appearing that the application should be granted subject to certain conditions, and not otherwise;

IT IS HEREBY ORDERED, That permission be and the same is hereby granted the COUNTY OF FRESNO to construct a public highway crossing at grade over the tracks of the Southern Pacific Company at Main Street, Raisin City, Fresno County, California, subject to the following conditions, and not otherwise, viz.:

(1) The entire expense of constructing the crossing shall be borne by the applicant.

(2) The expense of maintaining the crossing up to a line two (2) feet outside of the rails of the Southern Pacific Company shall be borne by applicant. The expense of maintaining the crossing between the rails and two (2) feet outside thereof shall be borne by the Southern Pacific Company.

(3) The crossing shall be constructed of a width of not less than twenty-four (24) feet, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(4) The present crossing at Palm Avenue, Raisin City, shall be abandoned and closed to public travel upon completion of the Main Street crossing.

(5) If the above conditions of this order are not

fulfilled within one (1) year from date, the Commission will revoke the permission herein granted.

(6) 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 filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 19<sup>th</sup> day of November, 1919.

Edwin O. Edgerton  
H. H. Howard  
H. H. ...

Commissioners.