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Decision No. 7842

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of
The Atchison, Topeka and Santa Fe Railway
Company, a corporation, for an order author-
izing the construction of a spur track at
grade across county road at Minkler, Fresno
County, State of California.

Application No. 5858

By the Commission.

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having, on June 25, 1920, filed an application with the Commission for permission to construct a spur track at grade across a county road at Minkler, Fresno County, State of California, as shown by the map attached to the application; and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Board of Supervisors of Fresno County; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said county road, and that this application should be granted subject to the conditions hereinafter specified:

IT IS HEREBY ORDERED, That permission be and the same if hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across a county road at Minkler, Fresno County, State of California, described as follows:

"Beginning at a point in the south line of the County Road forty (40) feet, more or less, west of the main line track of The Atchison, Topeka and Santa Fe Railway Company; thence north on a convenient curve a distance of sixty (60) feet to the northern line of the County Road on to privately owned property."

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 of construction to conform to that portion of the county road to be crossed as 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 9th day
of July, 1920.

H. D. Loveland
Frank K. ...
H. B. ...

Commissioners.