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Decision No. P349

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL
RECORDED
INDEXED

In the matter of the application of
The Atchison, Topeka and Santa Fe
Railway Company for permission to
take up and abandon certain trackage,
and to lay down, maintain and operate
certain other trackage, in the City
of Fresno, County of Fresno, State of
California.

Application No. 6008

By the Commission,

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on August 9, 1920, filed with the Commission an application for permission to take up and abandon certain trackage in East Avenue, Pearl Street and California Avenue, and to lay down, maintain and operate certain other trackage in the same streets, to serve the California Associated Raisin Company in Fresno, County of Fresno, California, 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 necessary franchise or permit has been granted by Board of Trustees of the City of Fresno for the re-arrangement of said trackage at grade and across said streets; and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said streets; that the re-arrangement of trackage will be in the interests of operating convenience and safety, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted The Atchison, Topeka and Santa Fe Railway Company to take up and abandon certain trackage in East Avenue, Pearl Street and California avenue, and to lay down, maintain and operate certain other trackage in

the same streets to serve the California Associated Raisin Company in Fresno, Fresno County, California, as shown by the map entitled "Division Engineer's Drawing No. Z-201"--marked Exhibit "A", attached to the application; the necessary street crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of East Avenue, Pearl Street and California Avenue, as same are now graded, with grades of approach not exceeding one (1) 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.

(3) Certified copy of agreement made between the applicant and the Southern Pacific Company, covering joint operation of Southern Pacific Company's drill track or tracks on California Street, and the abandoning of the crossing at East Avenue and California Street, shall be filed with this Commission within thirty (30) days after execution.

(4) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 17th day
of November, 1920.

Edwin O. Colquhoun

H. D. Boulevard

Frank P. Devlin

H. R. B. ...

Dwight ...

Commissioners.