

Decision No. 8644

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Southern Pacific Company for permission to construct a spur track, at grade, across Fifth Street, City of Clovis, County of Fresno, California.

ORIGINAL
Application No. 6520.

By the Commission:

O R D E R

Southern Pacific Company, a corporation, having on February 1, 1921, filed with the Commission an application for permission to construct a spur track, at grade, across Fifth Street, in the City of Clovis, County of Fresno, 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 the Board of Trustees of the City of Clovis for the construction of said crossing, at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Fifth Street, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be hereby granted Southern Pacific Company to construct a spur track, at grade, across Fifth Street, City of Clovis, Fresno County, California, as shown by the map attached to the application; said crossing to be constructed subject to the following con-

ditions, 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 Fifth Street 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 installation of said crossing shall be made within one year from the date of this order unless further time is granted by subsequent order herein and unless so completed within the time specified the authorization herein granted shall lapse and become void.

(4) The Commission shall be notified in writing of the completion of the installation of said crossing within thirty (30) days thereafter.

(5) 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 21st day of February, 1921.

Frank R. Owen

H. B. Boudige

David Martin
Charles H. Howell

Commissioners.