

ORIGINAL

Decision No. 8728.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of the Board of Supervisors of the County of Fresno, State of California, for permission to construct a public road at grade across the tracks of the Southern Pacific Company at Clovis Avenue, Fresno County, California.

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Application No.6418.

By The Commission:

ORDER

The Board of Supervisors of the County of Fresno, State of California, having on December 20, 1920, filed with the Commission an application for permission to construct a public road at grade across the tracks of Southern Pacific Company in said County, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Southern Pacific Company has signified by letter that it has no objection to the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said tracks, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be hereby granted the Board of Supervisors of the County of Fresno, State of California, to construct a road at grade across the tracks of the Southern Pacific Company at Clovis Avenue, Fresno County, described as follows, to-wit:

COMMENCING at the intersection of the south line of the Southern Pacific Railroad right of way with the east line of Section 17 T. 14 S.R.21 E., M.D.B. & M. from which the Northeast corner of said section 17 bears North 30.0 feet, thence North along the east line of sections 17 and 8 same township and range a distance of 50.0 feet to the north line of said railroad right of way; thence West along the north line of said railroad right of way a distance of 40.0 feet to the proposed west line of Clovia Avenue; thence South along the said proposed west line a distance of 50.0 feet to the south line of said railroad right of way; thence East along the south line of said railroad right of way a distance of 40.0 feet to the point of commencement.

said crossing to be constructed subject to the following conditions, viz:

- (1) The entire expense of constructing the crossing shall be borne by the applicant. The cost of its maintenance up to a line two (2) feet outside the rails shall be borne by the applicant. The maintenance of that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Southern Pacific Company.
- (2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of 90 degrees to the railroad and with grade of approach not greater than 4 per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.
- (3) Applicant shall, in writing, notify this Commission of the completion of the installation of said crossing within thirty (30) days thereof.
- (4) 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.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as 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 10<sup>th</sup> day of March, 1921.

Frank D. White

R. B. Brundage

James Martin  
Charles H. Howell

Commissioners.