

Decision No. 8943.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application)
of the People of the State of)
California on the relation of)
the Department of Engineering)
for an order authorizing the)
construction of a State highway)
grade crossing over the tracks)
of the Southern Pacific Railroad)
Company, a corporation near)
Westhaven Siding, Fresno County,)
California.)

Application No. 6590.

ORIGINAL

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Engineering, having on February 26, 1921, filed with the Commission an application for permission to construct a State highway at grade across the tracks of the 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 crossing 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 People of the State of California, on relation of the Department of Engineering, to construct a State highway at grade across the tracks of the Southern Pacific Company at a point along the section line between sections five (5) and six (6), Township 19 South,

Range 18 East, Mt. Diablo Base and Meridian, and as shown by the map attached to the application and marked Exhibit A, 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 approximately twenty-five (25) degrees to the railroad and with grade of approach not greater than one (1) 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 ^{6th} day of May, 1921.

H. A. Loveland
H. A. Brundage
Wm. H. Martin
W. B. Benedict

Commissioners.