

Decision No. 9248

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of  
Southern Pacific Company for per-  
mission for relocation of house track  
at grade across Earl Street and  
Draper Street in the City of Kingsburg,  
County of Fresno, California. )

) Application No. 6995.

By the Commission:

ORDER

Southern Pacific Company, a corporation, having on July 11th, 1921, filed with the Commission an application for permission for relocation of house track at grade across Earl Street and Draper Street in the City of Kingsburg, County of Fresno, State of 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 City of Kingsburg for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Earl Street and Draper 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 for relocation of house track at grade across Earl Street and Draper Street, in the City of Kingsburg, County of Fresno, State of California, described as follows:

Commencing at a point in the northerly boundary line of Earl St. easterly 67.0 ft. measured along said northerly boundary line, from the northeast corner of Simpson and Earl Streets, said point of commencement also being located easterly 17.0 ft.

measured along the northerly line of said Earl St. from the center of the Central Pacific Railway Co.'s main track at E.S. 6998 plus 12.85. Thence in a southerly direction 81.0 ft. more or less to an intersection with the southerly boundary line of Earl St. easterly 8.0 ft. measured along said southerly boundary line of Earl St. from the center of the said Railway Co.'s main track at E.S. 6998 plus 92.85, said intersection also being located easterly 58.0 ft. from the southeast corner of Simpson and Earl Streets; and

Commencing at a point in the southerly boundary line of Draper St. easterly 76.25 ft. measured along said southerly boundary line, from the southeast corner of Simpson and Draper Streets, said point of commencement also being located easterly 26.25 ft. measured along said southerly boundary line of said Draper St. from the center of the Central Pacific Railway Co.'s main track as constructed at E.S. 6988 plus 62.85. Thence in a northerly direction parallel to the center of said Railway Co.'s main track and 26.25 ft. easterly therefrom, 100 ft. to an intersection with the northerly boundary line of said Draper St.

All of the above as shown by the map attached to the application; said crossings to be relocated subject to the following conditions, viz:

(1) The entire expense of relocating 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 Earl Street and Draper Street now graded, with grades of approach not exceeding two (2%) 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) The roadway at the abandoned location of said crossing shall be restored to conform with the existing roadway of said streets.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the relocation of said crossings.

(5) The authorization herein granted for the relocation of said crossings shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(6) 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 21<sup>st</sup> day of July, 1921.

H. B. Brundage

H. D. Lovelock

Josiah Martin

Commissioners.