

Decision No. 9291

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of the COUNTY OF FRESNO to con-
struct a public highway across
the right of way and tracks of
the Southern Pacific Railroad,
near Garonne Avenue.

Application No. 6749.

Roy C. Wakefield for Applicant.

Frank B. Austin for Southern Pacific Company.

BY THE COMMISSION.

O P I N I O N

County of Fresno applies hereby for authority to construct a highway at grade across the tracks of the Southern Pacific Company on Garonne Avenue, near El Prado, on the Friant branch of that line.

A public hearing upon the application was held by Examiner Westover at Fresno.

It appears from the testimony that the County wishes to move a present crossing in reasonably open country on a plateau, with a clear view of approaching trains, a distance of about 1908 feet northerly down a 1% grade to a position on a side hill, with an obscured view of approaching trains. If the application be granted, it would close the present crossing. The reason assigned is that, while the present crossing has been open and used for some 25 years, the County has no title to the road or crossing, and fears it may be closed by the owners of the adjacent lands. It has title to the road and crossing at the new location.

Both locations are in sparsely settled country and would serve few families. There was some testimony to the effect that the new crossing would shorten the distance to Rolinda school, but there is but one child from the territory to be served attending that school. There are three families living in the vicinity.

Approaching the proposed crossing from the east, the tracks can be seen from the top of the hill 400 feet east, but after leaving that point the tracks can be seen only at intervals. The grade of approach is 10% for 150 feet east of the tracks, and about 6% for the remaining 250 feet to the top of the hill. Approaching from the west, the view and grade are reasonably good. A down grade of 10% approaching a crossing creates a hazardous condition, even if the view is not obscured.

The cost of installing the crossing with the necessary automatic flagman, will be approximately \$1200.00. This would probably be more than sufficient to procure needed right of way for the existing road and crossing.

The evidence does not show sufficient public need to justify authorizing the creation of the hazard to safety which would be incident to a crossing at the proposed location, with four regular passenger trains daily travelling at a speed of 40 miles per hour, beside two regular freight trains and extra trains.

ORDER

A public hearing having been held upon above application, the matter being submitted and ready for decision,

IT IS HEREBY ORDERED that the application be and it is hereby denied.

Dated at San Francisco, California, this 30th day of July, 1921.

H. A. Brundage
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Division of Water