

Decision 27223.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of a spur track in, along, and across California Avenue and Anna Street in the City of Fresno, County of Fresno, State of California.

Application No. 19529.

BY THE COMMISSION:

ORIGINAL

O R D E R

Southern Pacific Company, a corporation, on July 13, 1934, applied for authority to construct a spur track at grade across California Avenue and Anna Street in the City of Fresno, County of Fresno, State of California. The necessary franchise or permit, Ordinance No. 2067, has been granted by the City Commission of said City for the construction of said crossing at grade.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to construct a spur track at grade across California Avenue and Anna Street in the City of Fresno, County of Fresno, State of California, at the location more particularly

described in the application and as shown by the map (San Joaquin Division A-4419) attached thereto, subject to the following conditions:

- (1) The above crossing of Anna Street shall be identified as Crossing No. B. C. 206.58-C.
- (2) The entire expense of constructing and thereafter maintaining the crossing of Anna Street in good and first-class condition for safe and convenient use of the public shall be borne by applicant.
- (3) Said crossing of Anna Street shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding three (3) per cent, and shall be protected by a Standard No. 1 crossing sign as specified in our General Order No. 75-A.
- (4) This order is made upon the express condition that California Avenue is not now actually constructed and open to travel at the point of crossing and this order shall not be deemed as authorization for the construction of an opening of said California Avenue to public use across said spur track. Said track shall be so constructed that grades of approach of not exceeding three (3) per cent will be feasible in the event that the construction of an opening of California Avenue across said spur track shall hereafter be authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (7) 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 16th day of July, 1934.

C. S. Kearney

W. A. Cunn

M. B. Harris

Commissioners.