

ORIGINAL

Decision No. 27314.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the CITY OF FRESNO, a municipal corporation, for the construction and establishment of a crossing over the tracks and right of way of the Southern Pacific Railway Company.

Application No. 19395.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

In Decision No. 27075, dated May 21, 1934, in the above entitled proceeding, the Commission authorized a grade crossing of Cherry Avenue with a spur track of Southern Pacific Company in the City of Fresno and assessed the cost of constructing said crossing to applicant, City of Fresno. Subsequent to the issuance of said decision, Southern Pacific Company has agreed with the City of Fresno to assume the cost of constructing the crossing and a modification of Condition (2) of the prior decision to so provide is now requested.

IT IS HEREBY ORDERED that Condition (2) of Decision No. 27075, dated May 21, 1934, in the above entitled proceeding, is hereby modified to read as follows:

- (2) The entire expense of constructing the crossing shall be borne by Southern Pacific Company. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.

In all other respects Decision No. 27075 shall remain in full force and effect.

The effective date of this order shall be the date

hereof.

Dated at San Francisco, California, this 27th
day of August, 1934.

Leon A. Williams

M. J. Lee

W. B. Harris

W. B. Harris

Commissioners.