

Decision No. 28372.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the People of the State of California, on relation of the Department of Public Works, for an order authorizing the construction of a crossing at separated grades of Route 4 of the State highway and the tracks of The Atchison, Topeka and Santa Fe Railway at Calwa, in the County of Fresno, State of California.

Application No. 20192.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on October 22, 1935, applied for authority to construct a public highway known as State Highway Route 4, at separated grades over the main line track of The Atchison, Topeka and Santa Fe Railway Company in the vicinity of Calwa, Fresno County. The Atchison, Topeka and Santa Fe Railway Company, on November 1, 1935, signified, in writing, that it had no objection to the construction of said overgrade crossing.

While the proposed crossing will take care of most of the traffic crossing the railroad at thispoint, it will be necessary to retain a grade crossing at the location of the present grade crossing to accommodate certain local travel and provide a connection to a county road known as North Avenue. Protection of the North Avenue crossing should therefore be provided and included in this project.

It appearing that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity that the overgrade crossing be constructed and that the application should be granted,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, are hereby authorized to construct public highway known as State Highway Route 4 at separated grades over the main line track of The Atchison, Topeka & Santa Fe Railway Company in the vicinity of Calwa, County of Fresno, State of California, at the location more particularly described in the application and substantially in accordance with and as shown by the plan attached to the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. 2-994.3-A.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne by applicant.
- (3) Prior to the commencement of construction, applicant shall file a set of plans for said crossing, showing clearances, roadway widths and grades of approach, which plans shall have been approved by the interested parties.
- (4) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-A.
- (5) Within Six (6) months from the date of this Order, applicant shall file a certified copy of an agreement between it and The Atchison, Topeka and Santa Fe Railway Company covering the terms of construction and maintenance of said crossing.
- (6) 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.
- (7) 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.

IT IS HEREBY FURTHER ORDERED that applicant is hereby authorized to construct a temporary detour road at grade across

the main line track of The Atchison, Topeka and Santa Fe Railway Company adjacent to the existing grade crossing, as shown by the map attached to the application, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as a portion of Crossing No. 2-994.3.
- (2) The entire expense of constructing and thereafter maintaining the crossing shall be borne by applicant.
- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet, with grades of approach not greater than two (2) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by Standard No. 1 Crossing Signs, as specified in our General Order No. 75-A; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Said crossing, including that portion of the existing grade crossing which is to remain to afford a connection to North Avenue, shall be protected by two Standard No. 3 wigwags. Said wigwags shall be installed at the expense of applicant and thereafter maintained by The Atchison, Topeka and Santa Fe Railway Company. Upon completion of the grade separation and removal of the temporary crossing as hereinafter provided, said wigwags shall remain in place to protect the crossing of North Avenue.
- (5) Upon completion of the grade separation herein authorized, that portion of said temporary grade crossing lying to the south of the normally traveled portion of North Avenue shall be removed and barricades equipped with reflector signs erected in such a manner that direct through travel along said detour road will be prevented, but at the same time reasonable access will be provided between North Avenue east of the railroad and the respective portions of said detour road lying to the northwest and to the southeast of North Avenue.

- (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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 18th day of November, 1935.

Mr. J. Lee

M. B. Lewis

W. H. ...

Frank ...

Commissioners.