

Decision No. 20223

## 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 of the Southern Pacific Railway Company within the City of Fresno.

Application No. 20750

ORIGINAL

BY THE COMMISSION:

O R D E R

The City of Fresno, County of Fresno, State of California, on September 11, 1936, applied for authority to construct a public street known as "T" Street at grade across the track of the Friant Branch of Southern Pacific Company in said City of Fresno. Southern Pacific Company on October 7, 1936, signified, in writing, that it has no objection to 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 with said track at the point mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the City of Fresno, in the County of Fresno, State of California, is hereby authorized to construct "T" Street at grade across the track of Southern Pacific Company, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. BS-207.45.
- (2) The entire expense of constructing the crossing shall be borne by applicant. 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.

- (3) The crossing shall be constructed of a width of not less than eighty (80) feet and with grades of approach not greater than three (3) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Two Standard No. 3 wigwags, as specified in General Order No. 75A of this Commission, shall be installed at the sole expense of applicant, for the protection of said crossing of "T" Street, Crossing No. BS-207.45. Said wigwags shall be maintained by Southern Pacific Company.
- (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 26th day of October, 1936.

W. B. Lewis  
John A. Whiteley  
W. A. Lewis  
Robert H. Lewis  
Stanley R. Lewis  
Commissioners