

Decision No. 29651

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
 THE ATCHISON, TOPEKA AND SANTA FE
 RAILWAY COMPANY, a corporation, for
 authority to lay down, construct,
 maintain and operate, at grade, an
 extension to passing track upon and
 across county road, Crossing No.
 2-1106.6, at Avena, in the County of
 San Joaquin, State of California.

ORIGINAL

Application No. 21081.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on March 18, 1937, applied for authority to construct a passing track at grade across a county road in the vicinity of Avena, County of San Joaquin, State of California. The necessary franchise or permit has been granted by the Board of Supervisors of said County 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 The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct a passing

track at grade across County Road in the vicinity of Avena,
County of San Joaquin, State of California, at the location more
particularly described in the application and as shown by the
map attached thereto, subject to the following conditions:

- (1) The above crossing shall be identified as a
portion of Crossing No. 2-1106.6.
- (2) The entire expense of constructing and there-
after maintaining the crossing in good and
first-class condition for safe and convenient
use of the public, shall be borne by applicant.
- (3) Said crossing 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 road now graded, with the tops
of rails at same elevation as main line rails
and flush with the roadway and with grades of
approach conforming, as nearly as practicable,
with the grades of approach to the existing
crossing, and shall be protected by 2 Standard
No. 1 crossing signs, as specified in our
General Order No. 75-A.
- (4) Applicant shall, within thirty (30) days there-
after, notify this Commission in writing of the
completion of the installation of said crossing
and of its compliance with the conditions here-
of.
- (5) 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.
- (6) 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 3rd day of

April, 1937.

William H. Hays
John G. Hays
Stanley Hays
Robert Hays
Ray Hays
Commissioners.