

Decision No. 32538

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)
abandonment and closing of a crossing)
at grade of the State highway and the)
tracks of the Southern Pacific Railroad,)
near Firebaugh, in the County of Fresno,)
State of California.)

Application No. 22873

ORIGINAL

BY THE COMMISSION:

O R D E R

The Department of Public Works of the State of California, has requested an order authorizing the abandonment and closing to public use of an existing grade crossing identified as Crossing No. BA-107.9 in the vicinity of Firebaugh, Fresno County.

This crossing is at present a portion of State highway route 41 but this highway is being relocated in the vicinity of Firebaugh in such a manner as to eliminate the necessity of crossing the main line track of Southern Pacific Company. The project is being financed by funds made available through the Federal government and applicant states that such appropriation is contingent upon the closing to public use of the crossing which is the subject of the present application.

It appears that upon completion of the new highway the only need for crossing at this point is to obtain access to a cemetery and such access can be obtained by converting the present crossing into a private crossing covered by the usual agreement by the railroad and the cemetery association. Both Southern Pacific Company and the County of Fresno are agreeable to the closing of the crossing as a public road and applicant has agreed to install a gate in its right of way fence opposite the proposed private crossing.

IT IS HEREBY ORDERED that the Department of Public Works of the State of California is hereby authorized to close to public use and travel Crossing No. BA-167.8 in the vicinity of Firebaugh, Fresno County, upon completion and opening to public use and travel the relocation of State highway route 41 as set forth in the application, subject to the provision that applicant shall install a gate in its right of way fence opposite said crossing.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 7th day of November, 1939.

Raymond
Frank
Ray & Riley
H. H. H.
Justus F. Cameron
Commissioners