

ORIGINAL

Decision No. 11993

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 construct, operate)
and maintain a spur track in and)
along "I" Street and across 10th)
Street, in the City of San Bernardino,)
County of San Bernardino, State of)
California.)

Application No. 8904

BY THE COMMISSION:

ORDER

Atchison, Topeka and Santa Fe Railway Company, a corporation, having on April 10, 1923, filed with the Commission an application for permission to construct a spur track at grade across Tenth Street and at grade across a portion of "I" Street in the City of San Bernardino, County of San Bernardino, State of California as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit (Ordinance No. 951) has been granted by the Mayor and Common Council of said City of San Bernardino for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Tenth and "I" Streets, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted the Atchison, Topeka and Santa Fe Railway Company to

construct a spur track at grade across Tenth Street and at grade across a portion of "I" Street in the City of San Bernardino, County of San Bernardino, State of California, described as follows:

"Beginning in the center line of said Railway Company's most Western (eastbound) main track, 147.95 feet Northerly from the intersection of said main track and the center line of Tenth Street, in the City of San Bernardino, the center line of said main track being 22.0 feet Westerly from and parallel with the center line of "I" Street; thence Southerly 164.38 feet on a tangent curve concave to the West, having a radius of 942.291 feet; thence continuing Southerly 25.96 feet on a reverse curve concave to the East, having a radius of 589.364 feet to a point in the Western line of "I" Street 8.60 feet Southerly from the Southwest corner of "I" Street and Tenth Street; the point of switch of said track to be located 13.8 feet South of the point of beginning."

All of the above as shown by the map (Divn. Engrs. Drwg. No. L-5-5077) attached to the application; said crossings to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said streets now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding two (2) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(4) The authorization herein granted for the installation of said crossings shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) 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, the public convenience and necessity demand such action.

This order shall become effective three (3) days after the making thereof.

Dated at San Francisco, California, this 27th day of April, 1923.

C. Mearns
H. B. ...
Dwight ...

J. H. ...
Commissioners