

7-31-23  
Decision No. 12439

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of )  
Southern Pacific Company for an order )  
authorizing the construction at grade )  
of a side track crossing Plum Avenue, ) Application No. 9270  
in the City of Ontario, County of San )  
Bernardino, State of California. )

BY THE COMMISSION:

ORIGINAL

O R D E R

Southern Pacific Company, a corporation, having on July 27, 1923, filed with the Commission an application for permission to relocate a side track at grade across Plum Avenue in the City of Ontario, 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. 418) has been granted by the Board of Trustees of said City of Ontario 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 Plum Avenue, 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 Southern Pacific Company relocate a side track at grade across Plum Avenue in the City of Ontario, County of San Bernardino, State of California, to a location, described as follows:

Beginning at a point on the East line of Plum Avenue in said City of Ontario forty-one and five tenths (41.5) feet Southerly from the center line of the main track of the Southern Pacific Railroad Company as the same is now located and constructed, measured at right angles thereto; thence Westerly parallel with the aforesaid center line sixty-six (66) feet more or less to a point on the West line of said Plum Avenue.

All of the above as shown in red on the map (Los Angeles Division Number F-7987) attached to the application; said crossing to be relocated from the location shown in yellow on said map subject to the following conditions, viz:

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

(2) Said relocated crossing shall be constructed of a width and type of construction to conform to that portion of said street now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding three (3) per cent; shall be protected by a suitable crossing sign, 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 relocation of said crossing.

(4) The authorization herein granted for the relocation of said crossing will 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 crossing 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 2<sup>nd</sup> day of August, 1923.

C. Seavey  
H. B. ...  
...

Commissioners.