

ORIGINAL

Decision No. 12645

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application)
of The Atchison, Topeka and Santa)
Fe Railway Company, a corporation,)
for authority to construct a spur) Application No. 9362
track across Walnut Avenue in the)
City of Orange, County of Orange,)
State of California.)

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on September 6, 1923, filed with the Commission an application for permission to construct a spur track at grade across Walnut Avenue in the City of Orange, County of Orange, 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. 208) has been granted by the Board of Trustees of said City of Orange 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 Walnut 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 The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Walnut Avenue in the City of Orange, County of Orange, State of California, described as follows:

Beginning at a point in the center line of the said Railway Company's Fourth District main track, at Engineer's Station 1718 plus 98.1 Said Engineer's Station equals Station 0 plus 00 B.C. of the said proposed track thence 94.17 feet northerly on a tangent curve concave to the west and having a radius of 942.29 feet to Station 0 plus 94.17 E.C. thence 8.83 feet northerly on a tangent, to Station 1 plus 03.0 B.C. thence 59.58 feet northerly on a tangent curve concave to the west and having a radius of 578.69 feet to Station 1 plus 62.58 P.R.C., thence 116.83 feet on a curve concave to the east and having a radius of 573.69 feet to Station 2 plus 79.41 E.C. which is 26.5 feet westerly at right angles to center line of said main track.

The above described center line intersects the center line of Walnut Avenue, which has a width of 63 feet, at Station 2 plus 45.40 at an angle to the southwest of 93 degrees 32', a distance of 25.49 feet westerly from the center line of said main track and 694.93 feet westerly from the center of Lemon Street and Walnut Avenue, measured along the center line of said Walnut Avenue.

All of the above as shown by the map (Division Engineers Drawing No. I-5-5284) attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing 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 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 two (2) 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

installation of said crossing.

(4) The authorization herein granted for the installation 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 21st day of September, 1923.

Al Shaver

Irving Mathis

J. T. Whittney
Commissioners.