

Decision No. 1319

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, main- )  
tain and operate a proposed exten- )  
sion to passing track No. 2 at )  
Leon Station, near Victorville, to )  
cross the County Road (formerly )  
old State Highway) at grade. )

Application No. 9790.

**ORIGINAL**

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, having on February 18, 1924, filed with the Commission an application for permission to construct its passing track No. 2 at grade across a county road (formerly old State Highway) at Leon Station, near Victorville, 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 222) has been granted by Board of Supervisors of said County 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 county road, 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 its passing track No. 2 at grade across a county road (formerly the old State Highway) at Leon Station, near Victorville, County of San Bernardino, State of California, as shown by the map (Division Engineer's Drawing No. L-2-5798) 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 road now graded, with the top of rails flush with the roadway, and with grades of approach not exceeding four (4) 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) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, 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 26<sup>th</sup>  
day of February, 1924.

O. L. Seavey

H. H. Bonding

Lawrence Masters

Garbon Shore

J. F. Whittsey

Commissioners.