

Decision No. 13197

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 an order authorizing it to con-
struct, maintain and operate a spur
track across Mill Street, partly in
the City of Colton, County of San
Bernardino, State of California, and
partly in the said County of San Bernardino.)
Application No.
9792

BY THE COMMISSION:

ORIGINAL

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 spur track at grade across Mill Street, partly in the City of Colton and partly in the 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 franchises or permits (Ordinance No. 223 of San Bernardino County and Resolution 523 of City of Colton) have been granted by the Board of Supervisors of said San Bernardino County and by the Board of Trustees of said City of Colton 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 Mill Street, 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 Mill Street partly in the City of Colton and partly in the County of San Bernardino, State of California, as shown by the map (Div'n. Eng. Drawing No. L-3-5594) 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 Mill 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) 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 26th day of February, 1924.

C. Seaver
H. B. ...
J. ...
Golden Shore
J. ...
Commissioners.