

Decision No. 13386

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 second ) Application No. 9858.  
main track at grade across fourteen )  
highways between Hicks and Summit, )  
in San Bernardino County, California. )

ORIGINAL

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the fifth day of March, 1924, asking for authority to construct a second main track and passing tracks at grade across certain county roads between Hicks and Summit in the County of San Bernardino, State of California, as hereinafter set forth. It appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to provide separated grade crossings at the points mentioned in this application, or to avoid grade crossings with said county roads and that this application should be granted subject to the conditions hereinafter specified,

THEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to construct a second main track

and passing tracks at grade across certain county highways between Hicks and Summit in the County of San Bernardino, State of California at intersections described as follows:

Crossing No. 1 - Wild Station.

717.9 feet northeast along the center line of the present main track from its point of intersection with the west line of Section 14, Township 8 North, Range 4 West, S.B.B. & M., said point of intersection being 880.2 feet north from the common corner of sections 14, 15, 22 and 23 of said Township and Range.

Crossing No. 2 - At Helendale.

At a point about 655 feet northeast of the existing crossing or 700 feet more or less southwest along the center line of present main track from its point of intersection with the north line of Section 32, Township 8 North, Range 4 West, S.B.B. & M.

Crossing No. 3 - South of Helendale.

47.5 feet southwesterly along the center line of the present main track from its intersection with the north line of Section 5, Township 7 North, Range 4 West, S.B.B. & M., said point of intersection being 310 feet east of the common corner of Sections 5 and 6, Township 7 North, Range 4 West, S.B.B. & M. and Sections 31 and 32 of Township 8 North, Range 4 West, S.B.B. & M.

Crossing No. 4 - at Bryman.

On the south line of Section 19, Township 7 North, Range 4 West, S.B.B. & M. distant 781 feet east from the common corners of Sections 19, 24, 25, and 30 Township 7 North, Range 4 West, S.B.B. & M.

Crossing No. 5 - In Mile 28 between Bryman and Oro Grande.

On the center line of Section 31, Township 7 North, Range 4 West, S.B.B. & M. 14 feet more or less west of present main line track, Crossing about 170 feet northerly of Mile Post 28-29 is a private crossing with gates.

Crossing No. 6 - In Mile 29 between Bryman and Oro Grande.

2287 feet southerly along the center line of the present main track from its intersection with the north line of Section 6, Township 6 North, Range 4 West, S.B.B. & M. said point of intersection being 237 feet east of the common corners of Sections 1, 6 Township 6 North, Range 4 West and Sections 31 and 36 Township 7 North, Range 4 West, S.B.B. & M.

Crossing No. 7 - In Mile 31 between Bryman and Oro Grande.

346.5 feet northerly along the center line of the present main track from its intersection with the south line of Section 7, Township 6 North, Range 4 West, S.B.B. & M. said point of intersection being 880 feet east of the common corner of Sections 7 and 18, Township 6 North, Range 4 West and Sections 12 and 13, Township 6 North, Range 5 West, S.B.B. & M.

Crossing No. 8 - in Northwest Quarter Section 18, Mile 31 between Bryman and Oro Grande.

1214.2 feet southeast along center line of the present main track from its intersection with the north line of Section 18, Township 6 North, Range 4 West, S.B. B. & M., said point of intersection being 880 feet east of the common corners of Sections 7 and 18, Township 6 North, Range 4 West and Sections 12 and 13, Township 6 North, Range 5 West, S.B.B. & M.

Crossing No. 9 - At Oro Grande.

At a point fourteen feet southwest of a point in the present main track distant 2015.9 feet south 43°52' west of the common corners of Sections 17, 18, 19 and 20 of Township 6 North, Range 4 West, S.B.B. & M.

Crossing No. 10 - At Leon.

2281.5 feet southeasterly along the center line of the present main track from its intersection with the north line of Section 4, Township 5 North, Range 4 West, S.B.B. & M., said point of intersection being 834.5 feet west of the northeast corner of northwest quarter of said Section 4.

Crossing No. 11 - At Thorn.

410 feet northerly along the center line of the present main track from its intersection with the south line of Section 34, Township 5 North, Range 4 West, S.B.B. & M., said point of intersection being 679.85 feet west of the common corner of Sections 34 and 35, Township 5 North, Range 4 West and Sections 2 and 3 of Township 4 North, Range 4 West, S.B.B. & M.

Crossing No. 12 - Main Street, Hesperia.

Fourteen feet more or less easterly from crossing of center of present main line with Main Street Hesperia.

Crossing No. 13 - South of Hesperia.

1720 feet more or less southerly along the

center line of the present main track from its intersection with the north line of Section 28, Township 4 North, Range 4 West, S.B.B. & M., said point being approximately 138 feet west of the northeast corner of the northwest quarter of said Section 28.

All of the above as shown by the map (C.E.C.L. No. 283-16272) 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 county roads now graded with the tops of rail flush with the pavement, and with grades of approach not exceeding four (4) per cent, except on Crossing 13 where westerly grade of approach shall be made six (6) 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) At Crossing No. 1, at Wild, tops of knolls northeast of crossing shall be removed.

(4) Crossing No. 2, at Helendale, shall be moved about 625 feet northeast of existing crossing and connected with county road. Existing crossing shall be closed to travel.

(5) Station buildings of car bodies at Crossing No. 4, at Bryman, shall be moved parallel to track in order to open up view.

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

(7) 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.

(8) 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 7<sup>th</sup> day of April, 1924.

W. L. Seaver  
H. B. ...  
Irving ...

Commissioners.