

EG  
Decision No. 13423

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

In the matter of the application )  
of The Atchison, Topeka and Santa )  
Fe Railway Company, a corporation, )  
for authority to construct a second )  
main track across highways between the ) Application No. 9269.  
towns of Bagdad and Daggett, in the )  
County of San Bernardino, State of )  
California. )

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The Atchison, Topeka and Santa Fe Railway Company, having in writing requested that the authority for the construction of Crossing No. 5 (at Lavic Station) be rescinded and that the existing crossing at Engineer's Station 6111 plus 41.6 (at Lavic Station) be allowed to remain open, and it appearing that this is not a matter in which a public hearing is necessary, and that said request should be granted,

IT IS HEREBY ORDERED, that Decision No. 12954, dated December 27, 1923 be and it is hereby amended as follows:

1. That authority for the construction of Crossing No. 5 be and it is hereby rescinded.

2. The existing public crossing located at Engineer's Station 6111 plus 41.6 remain open to public use and travel.

IT IS HEREBY FURTHER ORDERED, that permission be and it is granted The Atchison, Topeka and Santa Fe Railway Company to

construct its second main track at grade across county highway in the vicinity of Lavic Station, County of San Bernardino, State of California, the intersection described as follows:

3077.2 feet north and 64.9 feet north 45°33' west of the southeast corner of section 2, Township 7 North, Range 6 West, S.B.B. & M. and known as Engineer's Station 6111 plus 41.6.

All of the above as shown in yellow by the map (C.E.C.L.No. 282-15798) 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 pavement, 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.

IT IS HEREBY FURTHER ORDERED, that in all other respects this Commission's order heretofore entered in the above entitled proceeding shall remain in full force and effect.

Dated at San Francisco, California, this 15<sup>th</sup> day of April, 1924.

W. S. Quay  
H. B. Brundage

J. L. Whittey  
Commissioners.