

Decision No. 14471

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of the County of San Bernardino )  
for permission to construct a crossing )  
at grade over the Atchison, Topeka and )  
Santa Fe Railway, near Hawes, San )  
Bernardino County, California. )

Application No. 10675.

BY THE COMMISSION:

O R D E R

ORIGINAL

Board of Supervisors of the County of San Bernardino, State of California, filed the above entitled application with this Commission on the 12th day of December, 1924, asking for authority to construct a public highway at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company in said County, as hereinafter set forth. Said Atchison, Topeka and Santa Fe Railway Company has signified by letter that it has no objection to the construction of said crossing at grade, and 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 a grade separation or to avoid a grade crossing with said tracks at the point mentioned in this Application, 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 Board of Supervisors of the County of San Bernardino, State of California, to construct a public highway at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company, as follows:

"Beginning at a point on the center line of the ATCHISON, TOPEKA AND SANTA FE RAILWAY at Mile Post 764, plus 3350-6/10 feet, identical with Engineers' Station 2817, plus 79, said point being south 86 degrees 32 minutes west, 165 feet from the intersection of said center line of said railway with the east line of section 19, Township 10 North, Range 4 West, S. B. B. and M.; thence at right angles to the said center line of said railway, 100 feet more or less to the north right of way line, and 100 feet more or less to the south right of way line of said railway; being the centre line of a strip of land 40 ft. in width, 20 feet on either side of the above described centre line".

and as shown by the map attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of its maintenance up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grade of approach not greater than two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon 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, mainten-

ance 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 from the making thereof.

Dated at San Francisco, California, this 17<sup>th</sup> day of January, 1925.

H. B. Roundigal

C. A. Leavelle

Egerton Shore

George D. Squires

Commissioners.