

Decision No. 14501

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, maintain)
and operate a spur track across Fourth)
Street in the City of Santa Ana,)
California.)

Application No. 10773.

BY THE COMMISSION:

ORIGINAL

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 23rd day of January, 1925, asking for authority to construct a spur track at grade across Fourth Street in the City of Santa Ana, County of Orange, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 760) has been granted by the Board of Trustees of said City of Santa Ana for 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 at the point mentioned in this application with said Fourth Street, 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 spur track at grade across Fourth Street, in the City of Santa Ana, County of Los Angeles, State of California, as follows:

Beginning at a point in the southern line of Fourth Street distant 88.91 feet westerly from the southwestern corner of said Fourth Street and Santa Fe Avenue; thence northerly 80.0 feet on a direct line, which makes a northwest angle of 90 degrees 14 minutes with said southern street line to a point in the northern line of said Fourth Street, distant 89.0 feet westerly from the intersection of the prolongation of the western line of Santa Fe Avenue with said northern street line.

and as shown by the map (Div'n Eng. Dwg. No. L-4-7560) 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 Fourth Street now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding one (1) 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) No train, engine, motor or car shall be operated over said crossing without first having been brought to a stop and unless traffic on the highway be protected by a member of the

train crew or other competent employee acting as flagman.

(6) 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 27th day of January, 1925.

H. B. Brundage

C. S. ...

Egerton Shore

Commissioners.