

Decision No. 14549

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 a spur
track across Willow Street, near
the town of Atwood, County of Or-
ange, State of California.

Application No. 10797.

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 30th day of January, 1925, asking for authority to construct a spur track at grade across Willow Street in the Town of Richfield, County of Orange, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County 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 Willow 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 Willow Street, in the Town of Richfield, County of Orange, State of California, as follows:

Beginning at a point in the southern line
of Willow Street, in the Town of Richfield, Orange

County, California, distant 8.79 feet westerly, measured along said southern line, from the western line of the north and south alley in Block 26 of said Town of Richfield; thence north-easterly 73.72 feet on a line 14 feet westerly from and parallel with the center line of said Railway Company's main track, Olinda District. Said center lines of main track and proposed extension make a northeast angle of 47 degrees 15 minutes with said south street line.

and as shown by the map (Div'n Engr's Dr'wg No. L-5-7481) 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 so constructed that grades of approach not exceeding one (1) per cent will be feasible in the event that the construction of roadway along said Willow Street shall hereafter be authorized and so that said grade crossing may 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) This order is made upon the express condition that Willow Street is not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of an opening of said street to public use across said railroad tracks.

(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 9th day of February, 1925.

H. H. Brundage
O. L. Seelye
Egerton Shore
George D. Squires
Ernest R. Rosten
Commissioners