Decision No. 15/63.

BREFORE THE RAILROAD COMMISSION OF THE STATE OF CAMPO

In the Matter of the Application of the Board of Supervisors of the County of Orange, State of California for an order authorizing the installation of a crossing at grade over the tracks of The A. T. & S. T. Ry. Co. (Coast Lines) Main line at Capistrano Reach, Orange County, California.

Application No. 11035.

BY THE COMMISSION:

## OBDER

The Board of Supervisors of the County of Orange, State of California, filed the above entitled application with this Commission on the 25rd day of April, 1925, asking for authority to construct a public road at grade across the tracks of The Atchison, Hopeka and Santa Fe Railway Company, in said County, as hereinafter set forth. Said Atchison, Hopeka 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 Orange, State of California, to construct a public highway at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company, as follows:

A strip of land 100' in length and 60' in width the center line of which is at right angles to and intersects the center line of the track of the main line of The A.T. & S. F. Ry. Co. (Coast Lines) at said Railway Company's engineer station 1224 plus 13.

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 grades of approach not greater than four (4) 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.
- (5) An automatic flagman shall be installed for the protection of said crossing at the sole expense of applicant, said automatic flagman to be of a type and installed in accordance with plans or data approved by the Commission. The maintenance of said flagman shall be borne by The Atchison, Topeka and Santa Fe Rail-way Company.
- (4) The existing private crossing located about three quarters of a mile north of the crossing herein granted shall be abandoned and effectively closed.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the in-

325

stallation of said crossing.

- (6) 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.
- (7) 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.

The authorization herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this  $\underline{Q}^{\alpha}$  day of July, 1925.

Hellendige George Dening Egrundige of Commissioners.