

Decision No. 15227

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
SOUTHERN PACIFIC COMPANY for an order
authorizing the construction at grade
of a spur track across Mill Street,
in the City of San Bernardino, County
of San Bernardino, State of California.)

ORIGINAL

Application No. 11419.

E. E. Morris for Applicant.

R. H. Mack for San Bernardino Chamber of Commerce.

BY THE COMMISSION:

O P I N I O N

In this proceeding Southern Pacific Company asks permission to construct a spur track at grade across Mill Street, City of San Bernardino, State of California. A public hearing was held by Examiner Williams in San Bernardino on July 23, 1925.

The branch line of Southern Pacific Company to San Bernardino runs in a general northerly direction from Colton, crossing Mill Street, an east and west street at a point about 300 feet westerly of "E" Street, a north and south street. Mill Street is unimproved west of "E" Street and it is not probable that it will be improved or extensively used for traffic as it passes through Lytle Creek parallel to the current for a distance of four or five hundred feet. It was testified that the territory adjacent to Mill Street west of the railroad will very likely not become of such value as to justify the cost of a bridge over the Lytle Creek.

It is possible to construct the proposed spur in the opposite direction and avoid crossing Mill Street, but there is

already constructed a spur track facing north about one quarter mile north of Mill Street and by placing all spurs in the same direction there would be better operating conditions.

It is proposed to develop the entire territory between Southern Pacific Company's track and "E" Street and between Mill Street and Atchison, Topeka and Santa Fe track about one quarter mile north of Mill Street, industrially with adequate spur track facilities. Plans as proposed by Applicant call for a series of spur tracks heading northerly to serve this entire district.

The Common Council of the City of San Bernardino granted permission to the applicant to construct said spur track at grade across Mill Street by Resolution adopted July 6th, 1925. Traffic checks (Applicant's Exhibit No. 1) shows that the traffic on Mill Street is very light and that the Applicant operates but one train per day in each direction. Pacific Electric Railway's local line between Riverside and San Bernardino is adjacent to and west of applicant's tracks, over which only local service is operated. It appears that Mill Street will not be developed as a through or important street. To better serve the public and to simplify switching movements, this spur track should be constructed across Mill Street as proposed by the applicant.

O R D E R

Southern Pacific Company, having made application for permission to construct a spur track at grade across Mill Street, in the City of San Bernardino, State of California, a public hearing having been held, the Commission being apprised

of the facts, the matter being under submission and ready for decision, therefore,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to construct a spur track at grade across Mill Street, in the City of San Bernardino, County of San Bernardino, State of California, as follows:

Beginning at a point in the southerly line of Mill Street, distant westerly thereon 240 feet, more or less, from the northwesterly line of Colton Avenue; thence northeasterly in a direct line, a distance of 86 feet, more or less, to a point in the northerly line of Mill Street, distant westerly thereon 298 feet, more or less, from the northwest corner of "E" and Mill Street.

and as shown by the map (Los Angeles Division Drawing No. F. 9551) 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 street now graded, with the tops 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.

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

Dated at San Francisco, California, this 30th
day of July, 1925.

H. B. Bunnell

George D. Squires

Leon Whitell
Commissioners.