

Decision No. 15592

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 spur  
tracks across "A" Street, Third  
Avenue and Fourth Avenue in the  
City of Upland, County of San  
Bernardino, State of California.

ORIGINAL

Application No. 11806.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka & Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 13th day of October, 1925, asking for authority to construct its spur tracks at grade along and across "A" Street and across Third Avenue and Fourth Avenue in the City of Upland, County of San Bernardino, State of California, as hereinafter set forth. The necessary franchise or permit (Dated October 1, 1925) has been granted by the Board of Trustees of said City for the construction of said crossings at grade. 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 grade separations, or to avoid grade crossings at the points mentioned in this application with said streets 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 its spur tracks at grade along and across "A" Street and across Third Avenue and Fourth Avenue, in the City of Upland,

County of San Bernardino, State of California, as follows:

TRACK "A":

Beginning at a point 5.0 feet north of the center line of "A" Street and 32.16 feet east of the center line of Fourth Avenue; thence east 71.91 feet on a tangent parallel with the center line of "A" Street; thence 191.13 feet southeasterly on a curve concave to the southwest and having a radius of 603.805 feet to a point in the southern line of "A" Street distant 292.03 feet (erroneously stated in application to be 187.96 feet) east of the center line of Fourth Avenue produced.

TRACK "B": ( In "A" Street )

Beginning at a point 5.0 feet north of the center line of "A" Street and 186.09 feet east of the center line of Fourth Avenue produced; thence west 71.91 feet on a tangent parallel with the center line of "A" Street; thence 91.72 feet northwesterly on a curve concave to the northeast and having a radius of 603.805 feet; thence northwesterly 81.92 feet on a tangent; thence 4.20 feet northwesterly on a curve concave to the southwest and having a radius of 573.686 feet to a point in the northern line of "A" Street distant 28.83 feet west of the western line of Fourth Avenue.

( Across Third Avenue )

Proposed center line crosses Third Avenue 6.0 feet north of and parallel with the northern line of "A" Street produced.

TRACK "C":

Beginning at a point 17.41 feet north of the center line of "A" Street and 33.72 feet east of the center line of Fourth Avenue produced; thence northwesterly 77.12 feet on a curve concave to the northeast and having a radius of 603.805 feet to the point of switch; the tangent to said curve at said point of beginning being parallel with the center line of "A" Street.

and as shown by the map (L-6-8009) attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed substantially in accordance with Standard No. 2, as specified in General Order No. 72 of this Commission and shall be constructed of a width to conform to those portions of said streets 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 suitable crossing signs, 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 crossings.

(4) If said crossings 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 crossings 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 31st day of October, 1925.

H. H. Bondage

A. J. Sweeney

George D. Squires

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Commissioners.