

Decision No. 15845

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of Pacific Electric Railway)
Company, a corporation, for)
Permission to Construct a Spur)
Track at Grade across and upon)
Rialto Avenue and "D" Street)
in the City of San Bernardino,)
State of California.)

Application No. 11961.

BY THE COMMISSION:

ORDER.

Pacific Electric Railway Company, a corporation, filed the above-entitled application with this Commission on the 5th day of November, 1925, asking for authority to construct a spur track at grade across Rialto Avenue and "D" Street in the City of San Bernardino, County of San Bernardino, State of California, as hereinafter set forth: The necessary franchise or permit (Ordinance No. 1256) has been granted by the City Council of said City 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 Rialto Avenue and "D" 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 Pacific Electric Railway

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Company to construct a spur track at grade across Rialto Avenue and "D" Street, in the City of San Bernardino, County of San Bernardino, State of California, as follows:

Commencing at a point in the center line of the present constructed track of the Southern Pacific Railroad on Rialto Avenue, said point being distant easterly along said center line 9.61 feet from the center line of D Street; thence southwesterly along a 175 foot radius turnout, a distance of 42.44 feet to the beginning of a curve concave to the southeast and having a radius of 175 feet; thence southwesterly along said curve 68.41 feet to a point in the south line of Rialto Avenue distant westerly thereon 93.77 feet from the center line of D Street;

and as shown by the map (CEH. 9145) 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 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 that portion of said streets now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding two (2) 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 14th day of January, 1926.

H. B. Brundage
C. Seaver
George D. Squires
Edward East
Leon Whitell

Commissioners.

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