

**ORIGINAL**

Decision No. 16080.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of LOS ANGELES & SALT LAKE RAILROAD  
COMPANY, a corporation, for author-  
ity, under the provisions of Section  
43 of the Public Utilities Act, to  
construct, maintain and operate a cer-  
tain steam railroad track across Vine  
Avenue, Fern Avenue and Palm Avenue in  
the City of Ontario, California.

Application No. 12475.

BY THE COMMISSION:

O R D E R

Los Angeles & Salt Lake Railroad Company, a corporation, filed the above entitled application with this Commission on the 25th day of January, 1926, asking for authority to construct a team track at grade across Vine Avenue, Fern Avenue and Palm Avenue, in the City of Ontario, County of San Bernardino, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 442) 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 Vine Avenue, Fern Avenue and Palm Avenue 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 Los Angeles & Salt Lake Railroad Company to construct a team track at grade across Vine Avenue, Fern Avenue and Palm Avenue, in the City of Ontario, County of San Bernardino, State of California, as follows:

TRACK "A" - Across Vine Avenue

Beginning at the northwesterly corner of State Street and Vine Avenue which point is the southeasterly corner of Block 108, South Side Tract, as recorded in M.B. 4, Page 12, Records of San Bernardino County, California; thence northerly along the westerly line of Vine Avenue a distance of 45.98 feet to a point in the center line of proposed Track "A", which is the true point of beginning of said Track "A"; thence N. 89° 29' E parallel to and 18 feet northerly of the center line of passing Track No. 1 of the Los Angeles & Salt Lake Railroad Company, as now constructed, a distance of 66.0 feet to a point in the easterly line of Vine Avenue; said point being 46.23 feet northerly measured along the easterly line of Vine Avenue from the northeasterly corner of State Street and Vine Avenue, which point is the southwesterly corner of Block 71, South Side Tract, more fully described above;

TRACK "A" - Across Fern Avenue

Beginning at the northwesterly corner of State Street and Fern Avenue, which point is the southeasterly corner of Block 71, South Side Tract, as recorded in M.B. 4, Page 12, Records of San Bernardino County, California; thence northerly along the westerly line of Fern Avenue a distance of 47.26 feet to a point in the center line of proposed Track "A", which is the true point of beginning of said Track "A"; thence N. 89° 29' E. parallel to and 18 feet northerly of the center line of passing Track No. 1, of the Los Angeles & Salt Lake Railroad Company, as now constructed a distance of 66.0 feet to a point in the easterly line of Fern Avenue; said point being 47.44 feet, northerly measured along the easterly line of Fern Avenue from the northeasterly corner of State Street and Fern Avenue, which point is the southwesterly corner of Block 70, South Side Tract, more fully described above;

TRACK "A" - Across Palm Avenue

Beginning at the northwesterly corner of State Street and Palm Avenue, which point is the southeasterly

corner of Block 70, South Side Tract, as recorded in M.B. 4, Page 12, Records of San Bernardino County, California; thence northerly along the westerly line of Palm Avenue, a distance of 46.63 feet to a point in the center line of proposed Track "A" which is the true point of beginning of said Track "A"; thence N. 89°29' E. parallel to and 16 feet northerly of the center line of passing track No. 1 of the Los Angeles & Salt Lake Railroad Company, as now constructed, a distance of 66.0 feet to a point in the easterly line of Palm Avenue; said point being 46.86 feet northerly measured along the easterly line of Palm Avenue from the northeasterly corner of State Street and Palm Avenue which point is the southwesterly corner of Block 69, South Side Tract, more fully described above;

and as shown by the maps (Exhibit "A" and Exhibit "B") 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 equal or superior to type shown as Standard No. 2, 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 pavements, and with grades of approach not exceeding two (2) 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) No cars shall be stored within a distance of seventy-five (75) feet of any of the property lines of the respective crossings, unless automatic flagman protection is provided.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(5) 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.

(6) 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 8<sup>th</sup> day of March, 1926.

H. B. Brundage  
O. S. Seaver  
Ernest S. Lee  
Leon O. Whitwell

Commissioners.