

Decision No. 17320 . .

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construction
at grade of a proposed spur track
across Ontario Avenue, in the City
of Ontario, County of San Bernar-
dino, State of California.

Application No. 13136.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 26th day of August, 1926, asking for authority to construct a spur track at grade across Ontario Avenue, in the City of Ontario, County of San Bernardino, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 449) has been granted by the Board of Trustees of said City of Ontario for the construction of said crossing 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 a grade separation, or to avoid a grade crossing at the point mentioned in this application with said Ontario 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 Southern Pacific Company to construct a spur

track at grade across Ontario Avenue, in the City of Ontario, County of San Bernardino, State of California, as follows:

Beginning at a point on the westerly side of said Ontario Avenue, distant southerly thereon 496 feet more or less from its intersection with the westerly prolongation of the southerly line of Grove Street in said City; running thence northeasterly along a curved line, concave to the southeast and having a radius of 458.59 feet, a distance of 85 feet, more or less, to a point on the easterly line of said Ontario Avenue, distant southerly thereon 420 feet, more or less, from its intersection with the aforesaid southerly line of Grove Street.

and as shown by the map (Los Angeles Div'n. Dwg. B-238, Sheet 1 of 1) attached to the application; said crossing to be constructed subject to the following conditions, namely:

(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 equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding five (5) 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 8th day of September, 1926.

H. H. Burdette
O. L. Deane
Ernest Deane
Leon A. White
Thos. S. Rouse
Commissioners.