

Decision No. 17572

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
San Diego County, California, to
establish a road crossing over The
Atchison, Topeka & Santa Fe Railway
Company tracks, on the Oceanside-
Escondido Branch.

ORIGINAL
Application No. 13077.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of San Diego, State of California, filed the above entitled application with this Commission on the 2nd day of August, 1926, asking for authority to construct a public road at grade across the track of the Oceanside-Escondido Branch of The Atchison, Topeka and Santa Fe Railway Company in Tract "D" of Rancho Buena Vista in said County of San Diego, as hereinafter set forth. The Atchison, Topeka and Santa Fe Railway Company has signified by letter that it has no objection to 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 with said track at the point mentioned in this application, 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 Board of Supervisors of the County of San Diego, State of California, to construct a public road at grade across the track of The Oceanside-Escondido Branch of The Atchison, Topeka and Santa Fe Railway Company at the location here-

inafter particularly described and as shown by the map, dated July, 1926, attached to the application.

Description of Crossing

Beginning at a point where the southeasterly right-of-way line of said county road intersects the northeasterly right-of-way line of the Escondido Branch of The Atchison, Topeka and Santa Fe Railway Company approximately opposite R.R. Eng. Sta. 588+23; thence southwesterly along said southeasterly right-of-way line of said highway to the southwesterly right-of-way line of said railway; thence northwesterly on a curve to the right, having a radius of 623.686 feet, along said southwesterly railway right-of-way line to a point on the northwesterly right-of-way line of said highway; thence northeasterly along said northwesterly right-of-way line of said highway to a point on the hereinbefore mentioned northeasterly right-of-way line of said railroad; thence southeasterly on a curve to the left, having a radius of 523.686 feet, along said northeasterly railway right-of-way line to the point of beginning;

The above crossing shall be identified as Crossing No. 2 E-10.1.

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of The Atchison, Topeka and Santa Fe Railway Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle approximately sixty (60) degrees to the railroad and with grades of approach not greater than five and one-half (5½) per cent; shall be constructed substantially in accordance with Standard No. 2 as specified in General.

Order No. 72 of this Commission; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon 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 5th day
November
of ~~October~~, 1926.

W. H. Brandage
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Commissioners.