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Decision No. 17837

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

<p>In the matter of the application of  The Corona and Santa Fe Railway Com-  pany, a corporation, for authority  to construct its line of railroad  over and across certain roads in the  County of Riverside, State of Calif-  ornia.</p>	)
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Application No. 13352.

ORIGINAL

BY THE COMMISSION:

O R D E R

Corona and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 29th day of November, 1926, asking for authority to construct a railroad track at grade across a county road near Engineer Station 534 in the Northeast quarter of Section 17, T. 5 S., R. 5 W., S. B. B. & M., and across a county road at separated grades near Engineer Station 439+37 in the southeast quarter of Section 2, T. 5 S., R. 6 W., S. B. B. & M., both in the County of Riverside, State of California, as hereinafter set forth. The necessary franchises or permits (Ordinances No. 170 and No. 171) have been granted by the Board of Supervisors of said County for the construction of the two said county road crossings. The application recites that it will be necessary to construct said track across twenty-one (21) other existing roads which are not recognized by the County as county roads and that the County disclaims jurisdiction thereover. It would appear that these twenty-one crossings of what are evidently private roads should not be covered by this proceeding under Section 43 of the Public Utilities Act, but should be considered more properly under Section 485a of the

Civil Code. They will therefore not be considered in this Order.

It appears to this Commission that the present proceeding is not one in which a public hearing is necessary 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 Corona and Santa Fe Railway Company to construct its railroad track at grade across a county road near Engineer Station 534 in the Northeast quarter of Section 17, T. 5 S., R. 5 W., S. B. B. & M., and over a county road at separated grades at or near Engineer Station 439+37 in the Southeast quarter of Section 2, T. 5 S., R. 6 W., S. B. B. & M., in the County of Riverside, State of California, at the locations hereinafter particularly described and as shown by the maps (C.E.C.L. 290-17596 and 88-17588) attached to the application.

#### Description of Crossings.

A crossing of the proposed main track of the Corona and Santa Fe Railway with the unnamed county road of indefinite width in the northeast quarter of Section 17, Township 5 South, Range 5 West, San Bernardino Meridian, which road begins at a point on the westerly line of County Highway Route No. 15 distant 1660 feet, more or less, northwesterly along said westerly line from the east line of said Section 17 and runs southwesterly therefrom; the proposed crossing to be at a point 50 feet southwesterly from the County Highway and at an angle of 90 degrees with said unnamed road.

An overhead crossing of the main track of said Railway Company across the 60 foot County Highway Route No. 15 in the northeast quarter of the southeast quarter of Section 2, Township 5 South, Range 6 West, S. B. M. at a point on said highway known as Station 403 plus 60, more or less; said track to be on a curve with a radius of 716.779 feet concave to the northeast; the tangent to said curve at its point of intersection with the center line of said highway making a westerly angle of 41 degrees 40 minutes with the center line of said highway.

Said crossings to be constructed subject to the following conditions, namely:

- (1) The entire expense of constructing the crossings to-

gether 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, except for the maintenance of that portion of the highway through the grade separation, which shall be borne by the County of Riverside. -

(2) Said grade crossing near Engineer Station 534 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 that portion of said road now graded, with tops of rails flush with the roadway, and with grades of approach not exceeding four (4) 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) Said crossing at separated grades at or near Engineer Station 439+37 shall be constructed with clearances conforming to provisions of this Commission's General Order No. 26-B.

(4) Applicant shall, before commencement of construction, file with this Commission for approval a complete set of detail plans of the proposed crossing at separated grades.

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

(6) 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.

(7) 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 5<sup>th</sup> day of January 1927

H. B. ...

A. J. ...

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Commissioners.