

Decision No. 18706

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of the
County of San Diego for permission
to construct grade crossing over the
Escondido Branch of The Atchison,
Topeka and Santa Fe Railway Company,
in Second Unit of Charles Victor Hall
Tract at Buena, California.

ORIGINAL

Application No. 13828.

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 31st day of May, 1927, asking for authority to construct a public road at grade across the track of The Atchison, Topeka and Santa Fe Railway Company, in the vicinity of Buena Station, as hereinafter set forth. Said 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 an unnamed road at grade across the track of The Atchison, Topeka and Santa Fe Railway Company

at the location hereinafter particularly described and as shown by the map attached to the application.

Description of Crossing

Said crossing is located in proposed Charles Victor Hall Tract No. 2, at Buena, San Diego County, California. The center line of said crossing is situated at Engineer's Station 444 plus 39, according to the map of the Right-of-Way and Track of said Railway, dated June 30th, 1916, on file in the office of the Chief Engineer, at Los Angeles, California.

The above crossing shall be identified as Crossing No. 2E-12.8.

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 outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside 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 of ninety (90) degrees to the railroad and with grades of approach not greater than two (2) 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 Standard No. 1 crossing sign, as specified in General Order No. 75 of this Commission, 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 13th day of August, 1927.

Leon Wheeler

John D. Kauter

M. J. Quinn

Commissioners.