

Decision No. 18835 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of The Atchison, Topeka and Santa Fe Railway Company, a corporation, for authority to construct a spur track along "I" Street, in the City of San Bernardino, County of San Bernardino, State of California.

Application No. 14025.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 26th day of August, 1927, asking for authority to construct a spur track at grade across a portion of "I" Street in the City of San Bernardino, County of San Bernardino, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated August 8, 1927) has been granted by the City Council of said City 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 "I" Street 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 Atchison, Topeka and Santa

Fe Railway Company to construct a spur track at grade across "I" Street in the City of San Bernardino, County of San Bernardino, State of California, at the location hereinafter particularly described and as shown by the map (Division Engineers Dwg. No. L 3-9267) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point on the center line of The Atchison, Topeka and Santa Fe Railway Company's east-bound main track, distant 591.72 feet northerly thereon from the northern line of Base Line Street; thence southerly 117.54 feet on a curve concave to the west, having a radius of 942.29 feet; thence southwesterly 23.92 feet on a tangent; thence southerly 75.26 feet on a tangent curve concave to the east, having a radius of 603.81 feet to a point which is 4.12 feet east of the west line of "I" Street; thence southerly 225.55 feet on a line which is parallel with and 4.12 feet east from the west line of "I" Street.

The above crossing shall be identified as Crossing No. 2-79.8-C.

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

(1) The entire expense of constructing the crossing shall be borne by applicant.

(2) Said crossing shall be so constructed that grades of approach not exceeding three (3) per cent will be feasible, in the event that the construction of a roadway along the westerly portion of "I" Street shall hereafter be authorized, and so that said grade crossing may 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) This order is made upon the express condition that the westerly portion of "I" Street is not now actually constructed and open to travel at the point of crossing, and the said order shall not be deemed an authorization for the construction of an opening of said portion to public use across the proposed spur track.

(6) 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 27<sup>th</sup> day of September, 1927.

Emmanuel  
Chauvin  
John H. ...  
M. J. ...  
 Commissioners.