

ORIGINAL

Decision No. 19140.

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 addition-
al main tracks across Rialto Avenue,
in the City of San Bernardino, Cali-
fornia.

Application No. 14250.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 2nd day of December, 1927, asking for authority to construct an additional main line track at grade across Rialto Avenue in the City of San Bernardino, County of San Bernardino, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 2706) has been granted by the Common 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 Rialto 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 The Atchison, Topeka and Santa Fe Railway Company to construct an additional main line track at grade across Rialto Avenue 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 Engineer's Drawing No. L-6-9133) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the southern line of Rialto Avenue distant 953.83 feet easterly measured along the southern line and prolongation of the southern line of said Rialto Avenue from a point opposite the intersection of the center lines of Pennsylvania Avenue and said Rialto Avenue; thence northwesterly in a direct line to a point in the northern line of said Rialto Avenue distant 924.69 feet easterly from a point opposite the intersection of said center lines of said Pennsylvania and Rialto Avenues.

The above crossing shall be identified as Crossing No. 2B-067.

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. 3, 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 avenue now graded, with the tops of rails at same elevation and flush with the pavement, and with grades of approach not exceeding one (1) per cent; 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 thereover of vehicles and other road traffic.

(3) An automatic flagman shall be installed and maintained at the north side of Rialto Avenue and immediately east of the crossing authorized herein. The applicant may, if it elects so to do, move the existing automatic flagman to the location described above. Said automatic flagman shall be of a type and installed in accordance with Standard No. 3, as specified in General Order No. 75 of this Commission.

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

(5) 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.

(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 73rd day of

December, 1923.

Edward L. O'Sullivan
Leon C. Wall

Commissioners.