

Decision No. 19496

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 across Illinois Avenue, in  
the City of Escondido, County of  
San Diego, State of California.

Application No. 14417.

**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 10th day of February, 1928, asking for authority to construct a spur track at grade across Illinois Avenue in the City of Escondido, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 231) 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 Illinois 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 a spur track at grade across Illinois Avenue in the City of Escondido, County of San Diego, State of California,

at the location hereinafter particularly described and as shown by the map (Div'n. Eng'r. Dr'w'g. No. L-5-9537) attached to the application.

Description of Crossing

Beginning in the northwestern line of Illinois Avenue, distant thereon 311.93 feet southwesterly from the southwestern line of Quince Street; thence southeasterly 85.40 feet, in a direct line, to a point in the southeastern line of said Illinois Avenue, distant thereon 282.06 feet southwesterly from the southwestern line of said Quince Street.

The above crossing shall be identified as Crossing No. 2 E-21.25.

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. 2 in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said avenue now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding five (5) 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) 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 20<sup>th</sup> day of March, 1928.

Leon C. Kelly

C. Seaver

David K. ...

Commissioners.