

Decision No. 10982**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the investigation on the Commission's own motion of the safety and necessity of the several public grade crossings over the tracks of The Atchison, Topeka & Santa Fe Railway Company at and near Barstow, County of San Bernardino, State of California.

Case No. 1936.

M. W. Reed for The Atchison, Topeka & Santa Fe Railway Company,
 Harry A. Encell and E. Q. Sullivan for the Department of Public Works, Division of Highways,
 Charles S. Crain and James L. King for the County of San Bernardino,
 Lubin J. Henderson for the People of Barstow,
 Dix Van Dyke for the Town of Daggett,
 E. L. Seymour for the Town of Hinckley.

BY THE COMMISSION:

O P I N I O N

This proceeding was instituted on the Commission's own motion for the purpose of correcting the objectionable grade crossing situation in Barstow, San Bernardino County.

Public hearings were held before Examiner Williams at Barstow. At the hearing on May 22, 1928, the matter was submitted.

When this proceeding was instituted in 1923, practically all of the business establishments and most of the residences of the Town of Barstow were situated between the main line and the yard tracks of The Atchison, Topeka and Santa Fe Railway Company.

Subsequent to this time, however, the state highway has been improved to the south of the railroad through Barstow and we now find the principal business district along the new highway and no business or residences located between the track as was the case in 1923.

The grade crossings involved in this proceeding are: first, the grade crossings over the main line and yard tracks at the west end of the Barstow yard; second, the grade crossing over the main line tracks about 2,000 feet east of the Barstow Depot; and, third, the crossing over the main line tracks about one mile east of the Barstow Depot.

On account of the shift in the town, the crossing 2,000 feet east of the depot has ceased to be used.

Several plans have been presented for the elimination of the crossings at the west end of the yard. At the final hearing on this proceeding, it was stipulated by the railroad company, the County of San Bernardino and the California Highway Commission that a viaduct should be constructed over the tracks of the railroad, approximately in line with First Street, extended north and coming to grade west of the Barstow Depot. It was further stipulated that the railroad company would bear fifty per cent, the County of San Bernardino twenty-five per cent and the California Highway Commission twenty-five per cent of the cost of construction. It was further stipulated that, upon the opening of the viaduct to traffic, the crossings at the west end of the Barstow yard are to be closed and that the crossing located about one mile north of Barstow remain open for local use only.

Some opposition developed as to the particular location of the proposed grade separation, but most of this opposition was withdrawn after an explanation of the situation.

It appears to the Commission that the agreed plan for

the elimination of the grade crossings at Barstow is satisfactory and when effected will afford a material benefit to the traveling public.

O R D E R

The Commission on its own motion having instituted this proceeding, public hearings having been held thereon, the Commission being apprised of the facts, the matter being under submission and ready for decision, therefore,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company, the County of San Bernardino and the Department of Public Works, Division of Highways, be and the same are hereby directed to construct a viaduct over the tracks of The Atchison, Topeka and Santa Fe Railway Company, approximately in line with First Street, extended northerly in the Town of Barstow, County of San Bernardino.

The above overhead crossing shall be identified as Crossing No. 2-746.5-A.

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The cost of constructing said grade separation shall be borne as follows: Fifty (50) per cent by The Atchison, Topeka and Santa Fe Railway Company, twenty-five (25) per cent by the County of San Bernardino, and twenty-five (25) per cent by the Department of Public Works, Division of Highways.

(2) Within ninety (90) days from the date of this order, a certified copy or copies of agreement or agreements covering the terms of installation, operation and maintenance shall be filed with this Commission.

(3) All clearances shall conform to General Order 26C of this Commission, or any other general orders of this Commission.

(4) Before construction has started, detail plans of said overhead structure shall be filed with this Commission for its approval.

(5) The existing public crossings at grade across the main line and the yard tracks at the west end of Barstow and designated as Crossings Nos. 2-746.6 and 2-746.7C, the existing public crossing 2,000 feet east of the Barstow Depot and designated as Crossing No. 2-746.1 shall be legally abandoned and effectively closed to public use and travel.

(6) The existing public crossing at grade approximately one mile east of the Barstow Depot and designated as Crossing No. 2-745.9 shall remain open for local traffic only.

For all other purposes, the effective date of this order shall be twenty (20) days from and after the date hereof.

dated at San Francisco, California, this 3rd day of July, 1928.



C. Seamy
W. J. Lott
W. J. Lott

W. J. Lott
Commissioners.