

Decision No. 20198

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Pacific Electric Railway Company, a corporation, for authority to construct a spur track at grade, across and along First Avenue, Stowell Street and a certain alley in the City of Ontario, County of San Bernardino, State of California.

ORIGINAL

Application 14972

BY THE COMMISSION:

ORDER

Pacific Electric Railway Company, a corporation, filed the above entitled application with this Commission on the 17th day of August, 1928, asking for authority to construct a spur track at grade across First Avenue and a certain alley, and a portion of Stowell Street in the City of Ontario, County of San Bernardino, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No.473) has been granted by the Board of Trustees of said City for the construction of said crossings 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 grade separations or to avoid grade crossings at the points mentioned in this application with said First Avenue and a certain alley, and a portion of Stowell 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 Pacific Electric Railway Company to construct a spur track at grade across First Avenue and a certain alley, and a portion of Stowell Street in the City of Ontario, County of San Bernardino, State of California, at the locations hereinafter particularly described and as shown by the map (C.E. 7817) attached to the application.

DESCRIPTION OF CROSSINGS

First Avenue and a portion of Stowell Street:

Commencing at a point in the present constructed track of the Pacific Electric Railway on Stowell Street, distant westerly thereon 15 feet from the prolonged westerly line of First Avenue; thence easterly along a curve concave to the southwest, tangent to said constructed track at the point of beginning and having a radius of 411.55 feet, a distance of 58.66 feet; thence southeasterly in a direct line to a point in the southerly line of Stowell Street distant easterly thereon 18.06 feet from the easterly line of First Avenue.

The above crossing shall be identified as a portion of Crossing No. 6T-36.09-C.

Alley between First Avenue and Second Avenue:

Also, commencing at a point in the westerly line of the alley adjoining the easterly line of Lot 21 in Block 633 of Stowell's Subdivision as per map recorded on page 18 in Book 5 of Maps, San Bernardino County Records, said point being distant southerly along said westerly line 8.5 feet from the southerly line of Stowell Street; thence easterly in a direct line, 15 feet to a point in the easterly line of said alley distant southerly thereon 8.5 feet from the southerly line of Stowell Street.

Said crossings shall be constructed subject to the following conditions; namely,

(1) The entire expense of constructing the crossings together with the cost of their 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 No.6T-36.09-C 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 without superelevation and of a width to conform to those portions of said streets now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding three (3%) 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 suitable for the passage thereover of vehicles and other road traffic.

(3) Said alley 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 roadway along said alley shall hereafter be authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.

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

(5) If said crossings 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 crossings 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 be come effective on the date hereof.

Dated at San Francisco, California, this 6th day
of September, 1928.

Leon Whiteall

W. H. H. H.

Ernest C. C.

M. J. C.

Commissioners.