

Decision No. 21019

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)	
of the County of San Bernardino)	
for permission to construct a)	
crossing at grade over the)	
Atchison, Topeka and Santa Fe)	Application No.15371
Railway, near the Town of)	
Minneola, in the County of San)	
Bernardino, State of California.)	

BY THE COMMISSION:

ORDER

The Board of Supervisors of the County of San Bernardino, State of California, filed the above entitled application with this Commission on the 4th day of February, 1929, asking for authority to construct a public road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company, near Minneola in said County, as hereinafter set forth. The Atchison, Topeka and Santa Fe Railway Company has signified by letter that it has no objection to the construction of said crossing at grade, and 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 with said tracks at the point mentioned in this application, 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 Board of Supervisors of the County of San Bernardino, State of California, to construct a county road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway.

Company at the location hereinafter particularly described and as shown by the map attached to the application.

Description of Crossing

Beginning at a point on the center line of the Main Line Track of the Atchison, Topeka and Santa Fe Railway, North $79^{\circ} 26'$ W., 25.43 feet from the intersection of said center line of said Main Line Track with the Section Line between Sections 27 and 28, T. 9 N., R. 2 E., S.B.M., thence north along a line parallel with and 25 feet West of said Section line 101.73 feet to the North line of the right of way of said Atchison, Topeka and Santa Fe Railway; thence South $79^{\circ} 26'$ East, 50.86 feet along the North right of way line of said railway; thence South along a line parallel with and 25 feet East of said Section line 203.45 feet to the South right of way line of said Railway; thence North $79^{\circ} 26'$ West 50.86 feet along said South right of way line of said Railway; thence North along a line parallel with and 25 feet West of said section line, 101.72 feet to the point of beginning.

The above crossing shall be identified as Crossing No. 2-731.0.

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

(1) Said crossing shall not be opened to traffic until the State Highway Crossing (Crossing No. 2-732.0), distant approximately 5000 feet to the west therefrom, shall have been legally abandoned and effectively closed to public use and travel.

(2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company.

(3) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of approximately eighty (80) degrees to the railroad and with grades of approach not greater than two (2) per cent; shall be constructed substantially

in accordance with Standard No.2 as specified in General Order No. 72 of this Commission; 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 thereon 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 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 26th day of

April, 1929.

Thomas D. Louth

Albany

Ernest C. ...

M. J. ...
Commissioners.