

Decision No. 21470.

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 relocate Track
No. 14 and Track No. 6 in and along
Pachappa Avenue across Ninth Street
in the City of Riverside, County
of Riverside, State of California.

Application No. 15876.

ORIGINAL

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 15th day of August, 1929, asking for authority to relocate its Track No. 6 (drill track) and Track No. 14 (spur) at grade across Ninth Street and along and across a portion of Pachappa Avenue in the City of Riverside, County of Riverside, State of California, as hereinafter set forth. The necessary franchise or permit (dated August 6, 1929,) has been granted by the City Council of said city for the relocation 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 a grade separation or to avoid a grade crossing at the points mentioned in this application with said Ninth Street and Pachappa 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 relocate its Track No. 6 and Track No. 14 at grade across Ninth Street and a portion of Pachappa Avenue in the City of Riverside, County of Riverside, State of California, at the locations as shown in red by the map (Div'n. Engr's. Drwg. No. L-6-10618) attached to the application.

Said crossings to be constructed subject to the following conditions, and not otherwise:

(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 crossings 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 super-elevation 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 one (1) per cent; and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

(3) Applicant shall remove the tracks shown in yellow on the map (Div'n. Engr's. Drwg. No. L-6-10618) attached to the application, in so far as they lie in Ninth Street and Pachappa Avenue; and shall repair the street to conform to the remainder thereof.

(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 become effective on the date hereof.

Dated at San Francisco, California, this 20th day of August, 1929.

David S. Leland

C. S. Harvey

Leon A. Williams

M. J. Linn

Commissioners.