

Decision No. 21727

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
The People of the State of California )  
on relation of the Department of Pub- )  
lic Works, Division of Highways, for )  
an order authorizing the construction )  
of a State Highway crossing at grade )  
over the tracks of The Atchison, Tope- )  
ka and Santa Fe Railway Company, in the )  
vicinity of Ludlow, San Bernardino )  
County. )

Application No.15880

**ORIGINAL**

BY THE COMMISSION:

ORDER

The People of the State of California, on relation of the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 16th day of August, 1929, asking for authority to construct a public highway designated as Road VIII-S.Bd.-58-J, at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company, in the vicinity of the Town of Ludlow, San Bernardino County. 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 People of the State of California, on relation of the Department of Public Works, Division of Highways, to construct a

public highway, designated as Road VIII-S.Bd.-58-J, at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company at the location particularly as shown by the map (Exhibit 'A') attached to the application.

The above crossing shall be identified as Crossing No.2-691.0 and shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of line 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.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of approximately forty-five (45) degrees to the railroad and with grades of approach not greater than four (4) 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.

(3) Said crossing shall be further protected by a Standard No.3 wigwag as specified in General Order No.75 of this Commission, said wigwag shall be installed and maintained at the sole expense of The Atchison, Topeka and Santa Fe Railway Company.

(4) The existing public crossing of the State Highway, designated as Crossing No.2-690.4 and located approximately three thousand feet east of the crossing herein authorized, shall be legally abandoned and effectively closed to public use and travel upon the completion of the crossing authorized herein.

(5) Applicant shall, within thirty (30) days thereafter, no-

tify this Commission, in writing, of the completion of the installation of said crossing.

(6) 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.

(7) 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 28<sup>th</sup> day of October, 1929.

Wm. S. Lott  
Alban  
Edward  
Leon  
M. J. Carr  
Commissioners.