

Decision No. 22136

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 construct a cross-)
over across Chapman Avenue in the)
City of Orange, County of Orange,)
State of California.)

Application No.16266

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 30th day of January, 1930, asking for authority to construct a crossover track at grade across Chapman Avenue in the City of Orange, County of Orange, State of California, as hereinafter set forth. The necessary franchise or permit (Exhibit "B" attached to the application) has been granted by the City Council of said City for the construction of said crossing 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 point mentioned in this application with said Chapman 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 construct a crossover track at grade across Chapman Avenue in the City of Orange, County of Orange, State of California, at the location hereinafter particularly described and as shown by

the map (Div. Engr's. Drwg. No. L-4-10814) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the northern line of Chapman Avenue, distant 125.75 feet westerly thereon from the northwestern corner of Atchison Street, and Chapman Avenue; thence southerly 49.57 feet on a curve concave to the west, having a radius of 772.0 feet; thence southwesterly 16.67 feet on a tangent, to a point in the southern line of Chapman Avenue, distant 130.75 feet, westerly thereon from the intersection of the southerly prolongation of the western line of Atchison Street, said tangent making a southwestern angle of 84 degrees 11 minutes 31 seconds with the southern line of Chapman Avenue.

The above crossing shall be identified as a portion of Crossing No. 2-172.7.

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

(1) The entire expense of constructing the crossing together with the cost of its 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 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 superelevation and of a width to conform to that portion of said avenue now graded, with the tops of rails at same elevation as main line rails and flush with the pavement, and with grades of approach not exceeding three (3) per cent; and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

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

(4) 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.

(5) 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 6th day of March, 1930.

C. L. Seaver

John S. Lewis

M. P. Lee

Commissioners.