

Decision No. 22256

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 PUBLIC WORKS, DIVISION OF HIGHWAYS, for an order authorizing the construction of a State Highway undergrade crossing under the tracks of the Pacific Electric Railway Company west of San Bernardino at Malaga Street, County of San Bernardino, California, known as Malaga Undergrade Crossing.

ORIGINAL

APPLICATION NO. 16355

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 10th day of March, 1930, asking for authority to construct a state highway designated Road VIII S.Bd.9-A at separated grades under the track of Pacific Electric Railway Company in the vicinity of the City of San Bernardino, as hereinafter set forth. Said Pacific Electric Railway Company has signified by letter that it has no objection to the construction of said undergrade crossing, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is in the interest of public convenience and necessity that said undergrade crossing be constructed, 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 State Highway, designated as Road VIII-S.3d-9-A, at separated grades under the track of Pacific Electric Railway Company substantially in accordance with, and at the location shown by. the map (Exhibit "A") attached to the application.

The above crossing shall be identified as Crossing 6T-47.40-B.

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

1. Said undergrade crossing shall be constructed with clearances conforming to provisions of this Commission's General Orders Nos. 26-C and 64-A.

2. The cost of constructing and thereafter maintaining said undergrade crossing shall be borne in accordance with the terms of the agreement attached to the application.

3. Applicant shall, before commencement of construction, file with this Commission a complete set of detailed plans of the proposed grade separation. Said detailed plans shall be approved by the Pacific Electric Railway Company.

4. The existing public crossing of Malaga Street, designated as Crossing No. 6T-47.43, shall be legally abandoned and effectively closed to public use and travel, upon the commencement of construction of the undergrade crossing authorized herein.

5. A standard No. 3 wigwag, as specified in General Order No. 75 of this Commission, shall be installed and maintained at the grade crossing of the detour road, designated as Crossing No. 6T-47.13, during the period the undergrade crossing authorized herein is under construction, and until said undergrade crossing is opened to public use and travel.

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

7. If said undergrade 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 25th day of March, 1930.

C. L. Seaver

Wm. J. L. Lott

W. J. Lott

Commissioners