

Decision No. 22452

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, maintain
 and operate a new storage track
 across Tyson Street, in the City of
 Oceanside, County of San Diego, State
 of California.

ORIGINAL

Application No. 16449

BY THE COMMISSION:

ORDER

The Atchison, Topeka & Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 10th day of April, 1930, asking for authority to construct a storage track at grade across Tyson Street in the City of Oceanside, County of San Diego, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 583) 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 Tyson Street 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 storage track at grade across Tyson Street in the City of Oceanside, County of San Diego, State of California, at the location hereinafter particularly described and as shown by the map (Div. Engr's. Drwg. No. L-8-10825) attached to the application.

DESCRIPTION OF CROSSING.

Beginning in the southeastern line of Tyson Street; thence northwesterly at a westerly angle of 89 degrees 57 minutes in a direct line parallel with The Atchison, Topeka and Santa Fe Railway Company's main track to the northwestern line of said Tyson Street, crossing the center line of said street 160.57 feet northeasterly from its intersection with the center line of Myers Street.

The above crossing shall be identified as a portion of Crossing No. 2-226.4.

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. 2, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding four (4) per cent; 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 thereover of vehicles and other road traffic.

(3) A Standard No. 3 Wigwag as specified in General Order No.75 of this Commission shall be installed and maintained for the protection of said crossing. The cost of installing and thereafter maintaining said wigwag shall be borne by applicant.

(4) No train, engine, motor or car shall be operated over said crossing on Tracks Nos. 7 and 9 and the proposed storage track, as shown on blue print map (Div.Engr's.Drwg.No.L-8-10825) attached to the application, unless said train, engine, motor or car shall be under full control and traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

(5) Applicant shall, within thirty (30) days thereafter, notify 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 20th day
of May, 1930.

O. L. Seaver
Ernest G. St.

Thos. S. Lott

Commissioners.