

Decision No. 22508

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 second main line track
 across 8th and 9th Streets, in and
 along Olive Street, and across
 Marlborough, Indianapolis and Kansas
 Avenues, and a cross-over track in
 said Olive Street, in the City of
 Riverside, County of Riverside, State
 of California.

ORIGINAL

Application No. 16481

BY THE COMMISSION:

ORDER

The Atchison, Topeka & Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 21st day of April, 1930, asking for authority to construct a second main line track and to relocate or remove certain existing tracks at grade across Indianapolis Avenue, Marlborough Avenue, Kansas Avenue, Third Street, Fourth Street, Fifth Street, Sixth Street (Paper Street), Seventh Street, Eighth Street, Ninth Street, Tenth Street, Eleventh Street, (Paper Street), and portions of Olive Street (Paper Street), in the City of Riverside, County of Riverside, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 41) has been granted by the Board of Trustees of said city for the construction 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 grade separations or to avoid grade crossings

at the points 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 Atchison, Topeka & Santa Fe Railway Company to construct the tracks shown in red and to remove existing tracks shown in yellow at grade across Marlborough Avenue, Indianapolis Avenue, Kansas Avenue, Third Street, Fourth Street, Fifth Street, Sixth Street (Paper Street), Seventh Street, Eighth Street, Ninth Street, Tenth Street, Eleventh Street (Paper Street), and across portions of Olive Street (Paper Street), in the City of Riverside, County of Riverside, State of California, at the locations particularly described in the application and as shown by the map (Div. Engr's. Drwg.No.L-50-10902, dated March 8, 1930) attached to the application.

The above crossings shall be identified as portions of the following crossings:

<u>STREET</u>	<u>CROSSING NO.</u>
Marlborough Avenue	2B-8.2
Indianapolis Avenue	2B-8.8
Kansas Avenue	2B-8.9
Third Street	2B-9.5
Fourth Street	2B-9.6
Fifth Street	2B-9.65
Seventh Street	2B-9.75
Eighth Street	2B-9.9
Ninth Street	2B-9.95
Tenth Street	2B-10.05

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) All of said crossings except Crossing No. 2B-9.95 shall be constructed equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission, and Crossing No. 2B-9.95 shall be constructed equal or superior to type shown as Standard No. 3 and all shall be constructed 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 corresponding to those shown on blue print map (Div. Engr's-Drwg.-No.-L-50-10902) attached to the application; shall be protected by Standard No. 1 crossing signs 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) Crossings No. 2B-8.9 and No. 2B-9.5 shall be protected by two Standard No. 3 Wigwags, as specified in General Order No. 75 of this Commission, and Crossings No. 2B-9.6 and No. 2B-9.65 shall be protected by one Standard No. 3 Wigwag. The cost of installing and thereafter maintaining said wigwags shall be borne by applicant.

(4) Second Train Indicators, of a type to be approved by this Commission, shall be installed and maintained at Crossings No. 2B-8.9, No. 2B-9.5, Nos. 2B-9.75 and 2B-9.95. The cost of installing and thereafter maintaining said second train indicators shall be borne by applicant.

(5) This order is made upon the express condition that Olive Street, Sixth Street and Eleventh Street are not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of an opening of said streets to public use across said railroad tracks.

(6) Said crossings of Olive Street, Sixth Street and Eleventh Street shall be so constructed that grades of approach not exceeding five (5) per cent will be feasible in the event that the construction of roadway along said streets shall hereafter be authorized and so that said grade crossings may be safe for the passage thereover of vehicles and other road traffic.

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

(8) If said crossings shall not have been installed within one year from the date of this order, the authorization here-granted in/shall then lapse and become void, unless further time is granted by subsequent order.

(9) 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 4th day of June, 1930.

C. J. Leary
Ernest C. ...

W. S. ...

Commissioners.