

Decision No. 22516.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the COUNTY OF SAN BERNARDINO to construct an undergrade crossing under the tracks of The Atchison, Topeka and Santa Fe Railway in the vicinity of Cadiz, in the County of San Bernardino, State of California.

ORIGINAL

Application No. 16428.

BY THE COMMISSION:

ORDER

County of San Bernardino filed the above entitled application with this Commission on the 4th day of April, 1930, asking for authority to construct a public highway known as the Cadiz-Parker Road at separated grades under the Parker Branch tracks of The Atchison, Topeka and Santa Fe Railway Company about four (4) miles southeast of Cadiz as hereinafter set forth. Said The Atchison, Topeka and Santa Fe Railway Company has signified by letter dated April 24, 1930, that it has no objection to the construction of said undergrade crossing. It appears to this Commission that this is not a matter in which a public hearing is necessary; that it is in the interest of public convenience and necessity that the 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 County of San Bernardino to construct a public highway known as Cadiz-Parker Road at

separated grade under Bridge No. 187-B of the Parker branch track of The Atchison, Topeka and Santa Fe Railway Company about four (4) miles southeast of Cadiz, County of San Bernardino, State of California, at the location hereinafter particularly described and substantially in accordance with and as shown upon the plans attached to the application.

Description of Crossing

Beginning at a point on the center line of the right of way of the A. T. & S. F. railway in Sec. 25, T. 5 N., R. 14 E., S.B.B.M., at Engineers Station 9890 plus 23.4, said point being near the northerly end of bridge 187-B of said railway company; thence north $48^{\circ}18'$ east 100 feet to the northeasterly right of way line of said railway; thence south $41^{\circ}42'$ east 60 feet along the said northeasterly right of way line; thence south $48^{\circ}18'$ west 200 feet to the southwesterly right of way line; thence north $41^{\circ}42'$ west 60 feet along the said southwesterly right of way line; thence north $48^{\circ}18'$ east 100 feet to the point of beginning.

The above crossing shall be identified as Crossing No. ZP-187.3-B.

Said undergrade crossing shall be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the road under said Bridge No. 187-B and providing the clearances hereinafter authorized shall be borne by applicant.

(2) Said crossing shall be constructed with side clearances conforming to the provisions of General Order No. 26-C, but may be constructed with an overhead clearance of not less than ten (10) feet in lieu of the clearance required by General Order No. 26-C.

(3) Suitable provision for protection of center and side piers shall be provided and maintained by the county, including suitable white painting on the piers and installations

of suitable red reflector warning devices.

(4) The existing public crossing over the Parker branch of The Atchison, Topeka and Santa Fe Railway Company, and which is identified as Crossing No. 2P-190.0, located approximately 2.7 miles northwest of the crossing herein authorized, shall be legally abandoned and effectively closed to public use and travel coincident with the opening of the undergrade crossing herein authorized.

(5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said undergrade 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 and maintenance 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 10th day

June
~~of May,~~ 1930.

P. L. Sanchez
Leon O. White
John D. Smith

Commissioners.