

**ORIGINAL**Decision No. 22739

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the County of Orange for an Order Authorizing the Re-location and Construction and Maintenance of a Crossing Over The Atchison, Topeka and Santa Fe Railroad on their main line from Los Angeles to San Bernardino and from Orange to Atwood, where Jefferson Street crosses said right-of-way. Application No. 16625.

BY THE COMMISSION:

ORDER

The Board of Supervisors of the County of Orange, State of California, filed the above entitled application with this Commission the 12th day of June, 1930, asking for authority to construct a public road known as Jefferson Street at grade across the Third District main track and the Olive District main line track of The Atchison, Topeka and Santa Fe Railway Company, in the vicinity of the town of Richfield, as hereinafter set forth. Said The Atchison, Topeka and Santa Fe Railway Company has signified by letter that it has no objection to the construction of said crossings at grade, and 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 with said tracks 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 Board of Supervisors of the County of Orange, State of California, to construct Jefferson Street at grade across the Third District main line track and Olive District main line track of The Atchison, Topeka and Santa Fe Railway Company, in the vicinity of Richfield in said county and at the locations as shown by the maps (Exhibit "A") attached to the application.

The crossing over the Third District main line track shall be identified as Crossing No. 2E-41.8, and the crossing over the Olive District main line track shall be identified as Crossing No. 2N-41.9.

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

(1) The entire expense of constructing the crossings shall be borne by applicant. The cost of maintenance of those portions of said crossings outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of the crossings between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossings shall be assessed by applicant, in any manner whatsoever, to the operative property of The Atchison, Topeka and Santa Fe Railway Company.

(2) The crossings shall be constructed of a width not less than twenty-four (24) feet and at an angle as shown on the maps attached to the application to the railroad and with grades of approach not greater than four (4) per cent; shall be constructed substantially in accordance with Standard No. 2 as

specified in General Order No. 72 of this Commission; 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 thereon of vehicles and other road traffic.

(3) Applicant shall, before beginning the construction of said crossings herein authorized, take the necessary steps to legally abandon as public crossings the existing public crossing over the Third District main line and distant approximately one-hundred and twenty-five (125) feet easterly from the crossing over the Third District main line herein authorized and the existing crossing over the Olive District main line distant approximately three-hundred (300) feet northeast from the crossing over the Olive District main line herein authorized. Upon the opening of the crossings herein authorized the said existing crossings shall be abandoned and effectively closed to public use and travel.

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

(5) If said crossings 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.

(6) 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 August, 1930.

Al Deane  
Ernest A. ...  
Leon ...  
Paul ...  
 \_\_\_\_\_  
 Commissioners.