

Decision No. 23029.

ORIGINAL

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, operate and maintain a steam railroad track over and across Mill Street, in the City of San Bernardino and the City of Colton, San Bernardino County, California.

Application No. 16884.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 11th day of September, 1930, asking for authority to construct a side track at grade across Mill Street in the Cities of San Bernardino and Colton, County of San Bernardino, State of California, as hereinafter set forth. The necessary franchises or permits have been granted by the City Councils of said Cities 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 Mill 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 side track at grade across Mill Street in the City of San Bernardino and the City of Colton, County of San Bernardino, State of California, at the location hereinafter particularly described and as shown by the map (Division Engineers' Drawing No. L-8-10821) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the northern line of said Mill Street, distant westerly 970.52 feet measured along said northern street line from its intersection with the west boundary of City of San Bernardino, produced northerly; thence southeasterly on a direct line 91.08 feet to a point in the southern line of said Mill Street, distant westerly 931.94 feet measured along said southern street line and street line produced, from its intersection with the east boundary of the City of Colton - said west boundary of City of San Bernardino described above is the center line of Bordwell Street.

The above crossing shall be identified as a portion of Crossing No. 2B-1.1.

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 at same elevation as main line rails

and 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. 73. of this Commission, and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

- (3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.
- (4) 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.
- (5) 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 31st day of October, 1930.

Chas. J. ...

Leon ...
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Commissioners.