

Decision No. 23652

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application
of THE ATCHISON, TOPEKA AND SANTA
FE RAILWAY COMPANY, a corporation,
for authority to construct three
tracks across Mill Street, in the
Cities of San Bernardino and Colton,
San Bernardino County, California.

APPLICATION NO. 17253

BY THE COMMISSION.

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on March 16th, 1931, applied for authority to construct three storage yard tracks at grade across Mill Street in the Cities of San Bernardino and Colton, County of San Bernardino, State of California. The necessary franchises or permits (San Bernardino, Resolution No. 140, and Colton, Ordinance No. 480) have been granted by the City Councils of said Cities, for the construction of said crossing at grade. It appearing that a public hearing is not necessary herein; 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, and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct three storage yard tracks at grade across Mill Street in the Cities of San Bernardino and Colton, County of San Bernardino, State of California,

at the location more particularly described in the application and as shown by the map (Div. Engr's. Drawing L-4-11347) attached thereto, subject to the following conditions:

- (1) The above crossing of Mill Street shall be identified as a portion of Crossing No. 2B-1.3.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed without superelevation and 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 six per cent (6%), and shall be protected by Standard No. 1 crossing signs, as specified in our General Order No. 75.
- (4) Applicant shall, at its sole expense, install and maintain the following protection for train movements over the crossing:
 - (a) A wigwag for main line movements.
 - (b) Flood lights for movements on all tracks.
- (5) No train, motor, engine or car shall enter upon said crossing, on the storage yard tracks authorized herein, at a speed greater than ten (10) miles per hour and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman. After having entered upon the crossing, it shall be cleared as quickly as is practicable.
- (6) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (7) The authorization herein granted shall lapse and become void, if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order.

- (8) 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, 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 May, 1931.

C. A. Sweeney
Leon O'Whelan
M. J. Lee
M. B. Harris
Fred G. Stewart