

Decision No. 24723

## 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 a spur track )  
 at grade over and across Pacific )  
 Street and Center Street at Highland, )  
 San Bernardino County, California. )

APPLICATION NO. 18072

BY THE COMMISSION:

**ORIGINAL**ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on April 1, 1932, applied for authority to construct a spur track at grade across Pacific and Center Streets in the Town of Highland, County of San Bernardino, State of California. The necessary franchise or permit (Ordinance No. 357) has been granted by the Board of Supervisors of said County, 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 a spur track at grade across Pacific and Center Streets in the Town of Highland, County of San Bernardino, State of California, at the location more particularly described in the application and as shown by the map (Exhibit "A") attached thereto, subject to the following conditions:

- (1) The above crossing of Pacific and Center Streets shall be identified as a portion of Crossing No. 2U-18.6.

- (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 General Order No. 72, of this Commission, and 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 not exceeding five (5) per cent.
- (4) A standard No. 3 wigwag, as specified in General Order No. 75 of this Commission, shall be installed and maintained for the protection of said crossing, in lieu of the existing automatic bell located at said crossing. The entire cost of installing and thereafter maintaining said wigwag shall be borne by applicant.
- (5) No train, engine, motor or car shall be operated on the spur track authorized herein, over said crossing, unless the traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.
- (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 25<sup>th</sup> day of April, 1932.

W. A. Seaver  
Leon A. ...  
M. A. ...  
W. B. ...  
Frederic G. ...  
Commissioners.