

Decision No. 25205

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the CITY OF UPLAND, a municipal)
corporation, situate in the County)
of San Bernardino, State of)
California, for permission and)
authority to construct a public)
highway across a railroad.)

APPLICATION NO. 18039

ORIGINAL

BY THE COMMISSION.

FIRST SUPPLEMENTAL OPINION AND ORDER

The Atchison, Topeka and Santa Fe Railway Company, on September 9, 1932, advised the Commission that, subsequent to the issuance of ex parte order (Decision No. 24771, dated May 16, 1932) in the above entitled application, it was learned that the spur track, across which Campus Avenue was to be constructed, was built under a franchise, issued by the City of Upland (Ordinance No. 127), which provided that the Railroad Company bear the cost of constructing the crossing between the rails and two (2) feet outside thereof and that the Railroad Company has no objection to amending said order to so provide.

Good cause appearing,

IT IS HEREBY ORDERED that condition (2) of this Commission's Decision No. 24771, dated May 16, 1932, on the above entitled application, be amended to read as follows:

(2) The entire expense of constructing and thereafter maintaining that portion of said crossing between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway

Company. The cost of constructing and thereafter maintaining that portion of the crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant.

In all other respects, said Decision No. 24771 shall remain in full force and effect.

Dated at San Francisco, California, this 26th day of September, 1932.

C. C. Seaver

Leon Whiteley

W. G. Linn

M. B. Harris

Frederic G. Stewart

Commissioners.