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Decision No. 10256

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the Application of Pacific Electric Railway Company, a corporation, to construct and maintain a single railroad track at grade across Congress Street between Eighth and Pine Streets, one-half in the City of Colton, San Bernardino County, California, at the Southerly Limits of said City of Colton, and one-half outside said City.

Application 7647.

By The Commission:

## ORDER

Pacific Electric Railway Company, a corporation, having on March 14, 1922, filed with the Commission an application for permission to construct its track at grade across Congress Street, the northerly half of which is located in the City of Colton, County of Sam Bernardino, State of California, and the southerly half of which is located in the unincorporated portion of said San Bernardino County, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchises or permits have been granted by the Board of Trustees of said City of Colton and by the Board of Supervisors of said County of San Bernardino for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Congress Street, and that this applica-

tion should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED, that pormission be and it is horeby granted the Pacific Electric Railway Company to construct its interchange track at grade across Congress Street the northerly half of which is located in the City of Colton, County of San Bernardine, State of California, and the southerly half of which is located in the unincorporated portion of said San Bernardine County, California, described as follows:

Commencing at a point in the northerly line of Congress Street. City of Colton. County of San Bernardino. State of California, said point being distant westerly 16.5 feet from the present constructed track of the Pacific Electric Railway where said track crosses Congress Street between Eighth and Pine Streets in said City, thence southerly parallel with and 16.5 feet westerly from said track to the southerly line of Congress Street in the unincorporated portion of the County of San Bernardino. State of California,

all of the above as shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz:

- (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 of a width and type of construction to conform to that portion of Congress Street now graded, with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe 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 in-

stallation of said crossing.

- (4) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order 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.

Dated at San Francisco. California, this 294 day of March. 1922.

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