

ORIGINAL

Decision No. ✓

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 1431

In the matter of the application of IMPERIAL COUNTY for permission to construct a public highway, known as "Main Street," at grade over the track of the Inter-California Railway Company and its Lessee, Southern Pacific Company, in the Townsite of Bernice, in Section 22, Township 12 South, Range 14 East, San Bernardino Base and Meridian, Imperial County, California.

Application No. 1072

O R D E R

By the Commission.

COUNTY OF IMPERIAL, having on April 6, 1914 filed with the Commission its application for permission to construct a public highway, designated as Main Street, at grade across the track of the Inter-California Railway Company, a corporation, and its Lessee, Southern Pacific Company, a corporation, in the Townsite of Bernice, in Section 22, Township 12 South, Range 14 East, San Bernardino Base and Meridian, Imperial County, California, as hereinafter indicated; and it appearing to the Commission that this is not a case in which a public hearing is necessary; that applicant has secured an easement from the Inter-California Railway Company and its Lessee, Southern Pacific Company, dated January 13, 1914, authorizing the construction of said crossing; and it further appearing that it is not reasonable nor practicable to avoid grade crossing with said track, and that the application should be granted subject to the conditions herein after specified.

IT IS HEREBY ORDERED, That permission be hereby granted Imperial County to construct a public highway, designated as Main Street, at grade across the track of the Inter-California Railway Company and its Lessee, Southern Pacific Company, in the Townsite

of Bernice, this crossing being more particularly described as follows:

Beginning at a point on the westerly permanent way line of the Inter-California Railway Company, said point being the intersection of the westerly prolongation of the southerly line of Main Street and said westerly permanent way line, said southerly line of Main Street intersecting the center line of said Railroad at Engineer Station 486 plus 24.9; thence north $0^{\circ}26'$ east along the westerly permanent way line 100 ft. to a point on the easterly prolongation of the northerly line of Main St; thence south $89^{\circ}34'$ east along the easterly prolongation of the northerly line of Main Street 300 ft. to a point on the easterly permanent way line of said railroad; thence south $0^{\circ}26'$ west along said permanent way line 100 ft. to a point on the easterly prolongation of the southerly line of Main Street; thence north $89^{\circ}34'$ west along the westerly prolongation of the southerly line of Main Street 300 ft. to the point of beginning, and more particularly shown enclosed within red inked lines on blue print map thereof attached to said grant of easement and made part thereof.

Said crossing to be constructed subject to the following conditions, viz:

- (1) The entire expense of constructing the crossing shall be borne by applicant.
- (2) The expense of maintaining the crossing up to within two feet of the track of the Inter-California Railway Company and its Lessee, Southern Pacific Company, shall be borne by applicant.
- (3) The expense of maintaining the crossing over the track and to a distance of two (2) feet on each side thereof, shall be borne by the Inter-California Railway Company and its Lessee, Southern Pacific Company.
- (4) Said crossing shall be constructed of a length not less than twenty-four (24) feet, with grades of approach not exceeding six (6) per cent, and shall be ballasted with first-class stone or gravel ballast to a depth of not less than six (6) inches, and in every way made safe for the passage thereover of vehicles and other road traffic.
- (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 13th day of April, 1914.

H. S. Kovaland

Alex Gordon

Edwin O. Edgerton

Commissioners.