

Decision No. \_\_\_\_\_.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of the application of  
PACIFIC ELECTRIC RAILWAY COMPANY  
for permission to construct  
spur tracks at grade across "B"  
(Ninth) Street and in and along  
Fourth and Fifth Streets, in the City  
of Upland, San Bernardino County,  
California.  
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Application No. 2244.

Decision No. 3298

By the Commission,

ORDER.

PACIFIC ELECTRIC RAILWAY COMPANY, a corporation, having on April 28, 1916, filed with the Commission an application for permission to construct spur tracks at grade across "B" (Ninth) Street and in and along Fourth and Fifth Streets, in the City of Upland, San Bernardino 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 the necessary franchise or permit has been granted by the Board of Trustees of the City of Upland for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said streets and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted Pacific Electric Railway Company to construct spur tracks at grade across "B" (Ninth) Street and in and along Fourth and Fifth Streets, in the City of Upland, San Bernardino County, California, described as follows:

"Beginning at a point in the center line of the east bound track of Pacific Electric Railway Company's Upland-San Bernardino Line, approximately 280 feet westerly of the westerly line of 6th Avenue, thence southwesterly and southerly along a standard No. 7 Turnout and 175 ft. radius curve to the left and over private property, to a point of tangency with a line 512.4 ft. westerly of and parallel to the westerly line of 6th Avenue, thence southerly along said parallel line to an intersection with the northerly line of "B" or 9th Street, thence southerly along a curved line, over and across "B" or 9th Street and

a portion of 5th Avenue, a distance of approximately 150 feet to a point of tangency with a line 10 feet easterly of and parallel to the westerly line of 5th Avenue, thence southerly along said parallel line to the northerly line of "A" Street.

"Also, beginning at a point in the above described line, approximately 80 feet southerly of the northerly line of "B" or 9th Street, thence southerly over and across a portion of 5th Avenue and along a curve to the right, to a point in the westerly line of said 5th Avenue, thence southwesterly, westerly and southwesterly over private property to a point in the easterly line of 4th Avenue, about midway between "A" Street and "B" or 9th Street, thence southwesterly across 4th Avenue to a point approximately 110 feet northerly of the northerly line of "A" Street and 15 feet easterly of the westerly line of 4th Avenue, thence southerly along 4th Avenue and parallel to its center line to the northerly line of "A" Street."

All of the above as shown by the map attached to the application; said crossings to be constructed subject to the following conditions, viz.:-

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of "B" (Ninth) Street and Fourth and Fifth Streets now graded, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 29th day of April, 1916.

Max Thelen

H. H. Overland

Frank R. Decker

Commissioners.