

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

ORIGINAL

Decision No. 3473

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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IN THE MATTER OF THE APPLICATION	)	
of the County of Riverside for	)	
authority to construct a crossing	)	
at grade over the tracks of The	)	Application No. 2016
Atchison, Topeka and Santa Fe Rail-	)	
way Company on Magnolia Avenue,	)	
Riverside County.	)	

Lyman Evans, District Attorney for Applicant.  
W.M. Reed for The Atchison, Topeka & Santa Fe  
Railway Company.

GORDON, Commissioner.

O P I N I O N.

This application was filed with the Commission on December 20, 1915, and looks to the opening of a portion of Magnolia Avenue over the main line track of the Atchison, Topeka & Santa Fe Railway. A public hearing was held on June 12, 1916.

Strictly speaking the crossing here under consideration is not a new crossing but the widening of an old one. Magnolia Avenue, one of the principal highways of the county, was crossed by the Santa Fe Railway during the construction of that road many years ago when the traveled highway was comparatively narrow. Within the last two or three years the Pacific Electric Railroad secured a right-of-way on the highway, on the northerly side of the traveled portion of the road, built a railroad upon it and thus separated the crossing then in use from the crossing sought to be opened under this application.

The county now desires to improve that portion of Magnolia Avenue, which is north of the Pacific Electric Railroad and it desires to make this crossing in connection with this improvement. There seems to be no reason why this permission should not be granted. The construction of this crossing will probably make it unnecessary for vehicles to cross and recross the Pacific Electric tracks as they do now and the view at the crossing is open and no protection seems to be needed other than the usual crossing sign.

Inasmuch as this crossing is more of an improvement on the existing crossing than a new one, it appears to me to be fair that the railroad and the county should divide the expense of its construction. The Railroad Company's facilities for doing the work are probably better than those of the county and the Railroad Company should do the work and bill the county for one-half its cost.

I recommend the following form of order.

O R D E R.

COUNTY OF RIVERSIDE having applied to the Commission for permission to construct a crossing at grade over the tracks of The Atchison, Topeka & Santa Fe Railway Company on Magnolia Avenue, Riverside County, California, and a public hearing having been held and it appearing to the Commission that this application should be granted under certain conditions,

IT IS HEREBY ORDERED, That the County of

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 30th day of June, 1916.

Max Theiler

H. Howard

W. Gordon

Edwin O. Edgerton

Commissioners.