

Decision No. _____

ORIGINAL

Decision No. 3429

BEFORE THE RAILROAD COMMISSION OF THE STATE OF
CALIFORNIA.

IN THE MATTER OF THE APPLICATION)
of the Board of Supervisors of)
Riverside County for an order)
permitting the crossing at grade) Application No. 2139.
of Southern Pacific Company's)
tracks between El Casco and)
Beaumont Stations.)

Lyman Evans, District Attorney for
Applicant.
Geo. D. Squires for Southern Pacific
Company.

GORDON, Commissioner,

O P I N I O N.

This application was filed with the Commission on March 15, 1916. Shortly after the application was filed an inspection was made of the crossing by the Commission's engineering department and it was made clear to the Commission that there was no question but that this application should be granted.

The railroad tracks in the vicinity of this crossing are paralleled, first on one side and then on the other, by a county road and were connected by a public crossing, over the tracks, which was washed out during the high water of last winter. The proposed crossing is to replace that crossing but it is located about one-quarter of a mile further west and is of course a new crossing.

It was the intention of the Commission to grant this application ex parte and acting upon the recommendation of its engineering department, it notified the applicant that this would be done, provided an automatic flagman was installed and the permission of the Southern Pacific Company secured. The plan of the County called for a crossing at a slight angle from a right angle and as the Railroad Company desired to have a right angle crossing and neither the County nor the Railroad Company seemed willing to incur the expense of automatic flagmen, the matter was set for a formal hearing, which was held on June 12, 1916.

After the situation was fully discussed at the hearing, the Southern Pacific Company agreed to withdraw its objections to a skew crossing if the County would assume the expense of constructing the crossing and of installing the automatic flagman and would legally abandon the crossing which was washed out during the winter. The County agreed to accept an order with these conditions and as I approve of this disposition of the matter, I shall make these recommendations in the following form of order.

O R D E R.

COUNTY OF RIVERSIDE having applied to the Commission for permission to construct a highway crossing, at grade, over the tracks of the Southern Pacific Company and a public hearing having been held and it appearing that this application should be granted subject to certain conditions,

IT IS HEREBY ORDERED, That permission be and the same is hereby granted the County of Riverside to construct a public highway crossing, at grade, over the tracks of the Southern Pacific Company between El Casco and Beaumont at a point

more particularly shown by the map attached to the application, subject to the following conditions:

(1) This crossing should be constructed of a width of not less than twenty (20) feet with grades of approach not exceeding four (4) per cent and shall in every way be made safe and convenient for the passage thereover of vehicles and other road traffic.

(2) The entire expense of constructing this crossing shall be borne by applicant.

(3) The expense of maintaining the crossing hereafter to a point within two (2) feet of the rails of Southern Pacific Company shall be borne by the applicant.

(4) The expense of maintaining the crossing between the rails and to a distance of two (2) feet outside of the rails shall be borne by Southern Pacific Company.

(5) For the protection of this crossing there shall be installed an automatic flagman of a type approved by the Commission.

(6) The expense of this installation shall be borne by applicant and the expense of maintaining it thereafter shall be borne by Southern Pacific Company.

(7) The crossing previously used over the tracks of Southern Pacific Company, approximately one-quarter of a mile east of this crossing shall be legally closed and abandoned as a public highway crossing.

(8) 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 judg-

ment, the public convenience and necessity demand such action.

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 Thelen
H. S. Leonard
Alfred Gordon
Edwin O. Edgerton

Commissioners.