

ORIGINAL

Decision No. 4022

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the appli-)
cation of THE ATCHISON, ()
TOPEKA AND SANTE FE RAILWAY)
COMPANY for permission to ()
change the location of a)
passing track at grade across ()
Churchill Street, East High-)
lands, San Bernardino County, ()
California.)
.....

Application No. 2718.

By the Commission.

ORDER

THE ATCHISON, TOPEKA AND SANTE FE RAILWAY COMPANY, a corporation, having on January 15, 1917, filed with the Commission an application for permission to change the location of a passing track at grade across Churchill Street, East Highlands, 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 proposed crossing is not within the limits of an incorporated town or city and no franchise is needed 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 Churchill Street, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be hereby granted The Atchison, Topeka and Sante Fe Railway Company to change the location of a passing track at grade across Churchill Street, East Highlands, San Bernardino County, California, described as follows:

"Beginning at a point in the western line of said Churchill Street distant 843.40 feet southerly from the southwest corner of Love and Churchill Streets; thence northeasterly on a curve concave to the north with a radius of 1292.57 feet, a distance of 67.30 feet to a point in the eastern line of Churchill Street, distant 830.07 feet southerly from the southeast corner of Love and Churchill Streets."

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 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 Churchill Street now graded, with grades of approach not exceeding four (4) 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) 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 16th day of January, 1917.

Max Thelen
H. S. Loveland
W. J. ...
Franz R. ...