

Decision No. 428

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the matter of the application of SOUTHERN PACIFIC COMPANY for permission to construct a spur track at grade across Rialto Street, City of San Bernardino, San Bernardino County, California.

Application No. 383.

ORDER

By the Commission.

Southern Pacific Company, a corporation, having on January 29th, 1913, filed with the Commission an application for permission to construct a spur track at grade across Rialto Street, City of San Bernardino, 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 applicant has secured the necessary franchise or permit from Board of Trustees of said City of San Bernardino; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said street; and that the application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED that permission be hereby granted Southern Pacific Company to construct a spur track at grade across Rialto Street, said City of San Bernardino, between E Street and F Street as shown by the map attached to the application and subject to the following conditions, namely:

- (1) The entire expense of constructing the crossing, together with the cost of its maintenance hereafter in good and first class condition for the safe and convenient use of the public, shall be borne by applicant.
- (2) Applicant shall provide the necessary plank or guard rails for said crossing and shall construct same of a width not less than twenty-four (24) feet, sufficient to accommodate road traffic. Said crossing shall be constructed with grades of approach not exceeding six (6) percent and shall be ballasted with stone or gravel ballast to a depth of not less than six (6) inches.
- (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.

