

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

ORIGINAL

Decision No. 5134

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )  
THE ATCHISON, TOPEKA AND SANTA FE )  
RAILWAY COMPANY, for permission to )  
construct a wye track at grade across )  
Cucamonga Avenue near Upland, San )  
Bernardino County, California. )  
..... )

Application No. 3545.

By the Commission,

O R D E R

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, having on February 20, 1918, filed with the Commission an application for permission to construct a wye track at grade across Cucamonga Avenue near 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 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 Cucamonga Avenue, 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 & Santa Fe Railway Company to construct a wye track at grade across Cucamonga Avenue, near Upland, San Bernardino County, California, on the North side of its main line and West of its Upland Foothill Spur as shown by the map attached to the application; said crossing 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 Cucamonga Avenue 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 25th day of February, 1918.

Max Thelen  
H. B. Woodland  
Alfred Gordon

Frank R. Develin

Commissioners.