

ORIGINAL

Decision No. 5844-

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
The City of Newport Beach, a municipal)
corporation, for permission to cross) Application No. 3646.
railroad tracks by a street at grade.)

By the Commission.

O R D E R

CITY OF NEWPORT BEACH having on April 1, 1918, filed with the Commission an application for permission to cross the railroad tracks of the Southern Pacific Railroad Company and the Pacific Electric Railway Company by a street at grade, said street being known as Twenty-sixth Street, in the City of Newport Beach, County of Orange, State of California, as more fully described in the application and as shown by the map attached thereto; and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary permits or easements have been secured from the said railroad companies; and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said rights of way, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be and the same is hereby granted the City of Newport Beach to cross the rights of way and tracks of the Southern Pacific Railroad Company and the Pacific Electric Railway Company by a street at grade, said


street being known as Twenty-sixth Street, in the City of Newport Beach, County of Orange, State of California, as more fully described in the application and 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 crossings shall be borne by applicant. The expense of their maintenance thereafter in good and first-class condition, for the safe and convenient use of the public, shall be borne by applicant, except for that portion between the rails and two (2) feet outside thereof, which shall be borne by the railroad companies hereinbefore mentioned.

(2) Said crossings shall be constructed of a width and type to conform to that portion of the rights of way to be crossed now graded, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs, 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 crossings 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 9th day of October, 1918.


Edwin C. Edgerton
W. L. Gordon
Frank Wheeler