

Decision No. 6526.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the relocation, re-  
construction and safety of the Rail-  
road crossing on Mount Vernon Avenue,  
near the City of Colton, San Bernar-  
dino County, California. )

Case No. 1313.

- John L. Campbell, Deputy District Attorney, for  
the County of San Bernardino.
- M. O. Hert, City Attorney, for the City of Colton.
- F. B. Austin and E. H. Miller for the United States  
Railroad Administration, Southern Pacific Co.
- J. H. McClymonds, for Pacific Fruit Express Company.

By the Commission.

O P I N I O N

This matter is the outgrowth of recommendations made by the engineering department of this Commission in Report No. 742 of the statewide grade crossing survey conducted during the years 1916 and 1917. In this report it was recommended that this crossing be abandoned and a new crossing constructed about thirteen hundred (1300) feet east.

Upon the Commission's own motion, an investigation was conducted on June 10, 1919, before Examiner Encell at San Bernardino.

People living south of the Santa Ana River use this crossing to go to Colton or San Bernardino. The former city can just as conveniently be reached over "L" Street, but the direct route to the latter city is over Mt. Vernon Avenue.

This is an exceedingly dangerous crossing, due to the fact that it is located at one end of the railroad company's yards.

It crosses twenty-seven (27) tracks, of which thirteen (13) are owned by the Pacific Fruit Express Company. Eight of these thirteen tracks are not continued west of the street. The crossing is protected by an automatic bell, which rings continually.

It has been proposed that a new road be constructed easterly from the intersection of "M" Street and Mt. Vernon Avenue to the Riverside Water Company's canal; thence in a northeasterly direction more or less parallel with the canal for about six hundred (600) feet; thence northerly across the two Southern Pacific Company tracks to a point east of "I" Street; thence west as a continuation of "I" Street to the end of "I" Street, as shown on California Railroad Commission's Exhibit No. 1 herein filed June 10, 1919.

The evidence in this case shows that the Southern Pacific Company proposes to participate in the expense of this change, providing that the County is willing to provide the necessary right of way. This was agreed to by the County at the hearing. The cost of the proposed change, outside of the cost of the right of way, will probably amount to about five thousand (5,000) dollars.

As the existing crossing cuts through the railroad yards, its elimination is very desirable on the part of the Southern Pacific Company. It seems reasonable to apportion the cost between the railroad company and the county, as follows:-

County of San Bernardino to donate the necessary right of way described above and the necessary fences; the Southern Pacific Company to pay for grading, rolling, oiling and sanding the road and the necessary culverts, etc.

#### O R D E R

The matter of improving the conditions surrounding the dangerous grade crossing over twenty-seven tracks of the Southern Pacific Company, and the Pacific Fruit Express Company at Mt. Vernon

Avenue near the City of Colton, County of San Bernardino, State of California, having been considered by the Commission; a public hearing having been held; and it appearing to the Commission that the existing crossing should be abandoned and a new crossing constructed about thirteen hundred (1300) feet east on the new road to be laid out, as previously described and as shown on the map filed on June 10, 1919, as Railroad Commission's Exhibit No. 1;

IT IS HEREBY ORDERED, That the existing crossing over the tracks of the Southern Pacific Company and the Pacific Fruit Express Company at Mt. Vernon Avenue near the City of Colton, County of San Bernardino, State of California, be abandoned and closed to public travel, and that fences be erected across said crossing as near the north line of "M" Street and the south line of "I" Street as is practical, in order to avoid the possibility of vehicles driving into a dead-end street.

IT IS HEREBY FURTHER ORDERED, That a new crossing at grade be constructed at a point about thirteen hundred feet east of the crossing to be abandoned, said new crossing to be served by a road starting at "M" Street and Mt. Vernon Avenue and ending at the east end of "I" Street, as previously described and <sup>substantially</sup> as shown on the map filed in this proceeding as Railroad Commission's Exhibit No. 1, said new crossing and road to be constructed subject to the following conditions:

(1) The County of San Bernardino shall furnish the right of way for the new road and shall fence same, if necessary.

(2) The Southern Pacific Company shall pay the cost of constructing the new crossing and the new road to serve it. The Southern Pacific Company shall also pay the cost of closing the crossing to be abandoned.

(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 28<sup>th</sup> day of July, 1919.

Edwin O. Edgerton  
H. H. ...  
Frank ...  
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Commissioners.