

ORIGINAL

Decision No. 6858.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of the COUNTY OF SAN BERNARDINO)
for permission to construct a)
crossing over and across the pro-) Application No. 4751.
perty of the Atchison, Topeka and)
Santa Fe Railway Company near)
Rialto, San Bernardino County.)

T. W. Duckworth, District Attorney, for
County.

W. H. Stockley, Assistant Division Engineer,
for United States Railroad Administration.

By the Commission.

O P I N I O N

In this application, filed July 19, 1919, San Bernardino County seeks permission to construct a crossing at grade over the right of way and tracks of the Atchison, Topeka and Santa Fe Railway Company at Meridian Avenue, also known as East Avenue, about one and a half miles east of Rialto, San Bernardino County.

A public hearing was held at San Bernardino on October 24, 1919, before Examiner Satterwhite.

Meridian, or East Avenue, is a north and south road extending from Lytle Creek on the north to Colton Avenue. It crosses the Pacific Electric Railway with an overhead structure having five (5) per cent grades of approach. That

portion of Meridian Avenue between Rialto Avenue and the Atchison, Topeka and Santa Fe Railway has not been improved or graded and is not open to travel. The nearest main north and south roads between Foothill Boulevard, or San Bernardino Avenue, and Colton Avenue are Riverside Avenue in Rialto and Mount Vernon Avenue in San Bernardino. It is the opinion of several of the witnesses that Meridian Avenue will in the future become a prominent through road between the Foothill Boulevard and Colton Avenue. At present this crossing is desired to take care of several local residents who are now forced to detour via Merrill Avenue and Pepper Avenue, or to travel on a dirt road along the Santa Fe right of way to the crossing of the latter with Rialto Avenue, about one-third of a mile east of Meridian Avenue.

Pepper Avenue crosses the Santa Fe at grade about one-quarter of a mile west of Meridian Avenue. It also crosses the Pacific Electric at grade. The view at Pepper Avenue of the Santa Fe tracks is badly obscured by trees. The crossing is on a nearly level grade. Testimony shows that Merrill Avenue is in poor condition, which renders the detour via Pepper Avenue unsatisfactory.

The proposed crossing at Meridian Avenue is located on a one-degree curve. A row of eucalyptus trees along the southerly right of way line from Pepper Avenue to Meridian Avenue obstructs the view on the southwest corner. Orange groves along the west side of the Avenue on both sides of the railroad also obstruct the view to the west. The view along the railroad to the east, from the approaches to the track, is open for from 500 to 1400 feet, when 80 feet from the cross-

ing. The railroad track at this point is about ten to twelve feet above the ground north of the railroad. This fill is an admirable location for a separation of grades. A subway is very desirable at this point, when taken into consideration with the overhead crossing over the Pacific Electric Railway, as this road would then be entirely free of grade crossings.

It appears that San Bernardino County is not greatly interested in this crossing at this time and is only willing to set aside \$250.00 toward its construction. The various land owners expect to make the necessary fills for the approaches, which would cost about \$800.00 additional.

Some consideration has been given to the closing of Pepper Avenue crossing in conjunction with the opening of the crossing applied for. In ordinary cases this would probably be desirable, but in the present case the Commission feels that the installation of a grade crossing at the point desired is unwise, on account of the long, heavy grades of approach, which, if installed, would probably prohibit a separation of grades for all times. Neither would it be proper to open up a grade crossing here without the protection of an automatic flagman, to be installed at the expense of the County. If such protection is not installed with the opening of the crossing, which in this case the County does not care to do, it would not be just to require the same to be installed by the railroad company in the future, after the traffic over the road has become heavy.

If Meridian Avenue is to become the prominent north and south road of this locality, the Commission feels that a separation of grades is the type of crossing which should be

installed at this point, as the configuration of the ground is particularly adapted to it.

This application for a crossing at grade should be denied.

O R D E R

COUNTY OF SAN BERNARDINO, having on July 19, 1919, filed an application with the Commission for permission to construct a crossing at grade over the right of way and tracks of the Atchison, Topeka and Santa Fe Railway Company near the Town of Rialto, County of San Bernardino, State of California, as shown by the map attached to the application; a public hearing having been held and it appearing to the Commission that the construction of said crossing at grade is not necessary to public convenience;

IT IS HEREBY ORDERED, That this application be and the same is hereby denied without prejudice.

Dated at San Francisco, California, this 19th day of November, 1919.

Edwin O. Edgerton
H. D. Lovelace
H. P. Brundage

Commissioners