

ORIGINAL

Decision No. 7079.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the DIRECTOR GENERAL OF RAILROADS OPERATING ATCHISON, TOPEKA AND SANTA FE RAILROAD, and THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, for authority to construct a spur track extension across a public road near Como, Orange County, California.

Application No. 5279.

By the Commission.

ORDER

DIRECTOR GENERAL OF RAILROADS, OPERATING ATCHISON, TOPEKA AND SANTA FE RAILROAD, and THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, having on January 23, 1920, filed with the Commission an application for authority to construct a spur track extension at grade across a public road near Como, in the County of Orange, State of 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 city or town; and it further appearing that it is neither reasonable nor practicable to avoid a grade crossing with said road, 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 DIRECTOR GENERAL OF RAILROADS, OPERATING ATCHISON,

TOPEKA AND SANTA FE RAILROAD, and the ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, to construct a spur track at grade across a public road near Como, in the County of Orange, State of California, described as follows:

Beginning at a point on the northwesterly line of said road and distant thereon 36 feet southwesterly from the northeasterly line of the right of way of the Atchison, Topeka and Santa Fe Railway; thence southeasterly across said public road and parallel with the main track to a point in the southwest line of said public road.

All of the above 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 the applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform <sup>to</sup> that portion of the road to be crossed 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 5<sup>th</sup> day  
~~of January, 1920.~~  
*February*

Edwin O. Edgerton

A. L. Loveland

Frank H. Wilson

H. B. Ruediger

Commissioners.