

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application )  
of the County of San Bernardino for )  
permission to construct a crossing )  
over a railroad for public highway )  
purposes. )  
. . . . . )

Application No. 5992.

Judge John L. Campbell, for Applicant.

Robert Brennan, for Atchison, Topeka  
and Santa Fe Railway Company.

By the Commission:

O P I N I O N

In this application the County of San Bernardino asks permission to construct a public road at grade across the right of way and tracks of the Atchison, Topeka and Santa Fe Railway Company on the line between the Southeast Quarter of Section 32 and the Southwest Quarter of Section 33, Township 10 North, Range 2 West, S.E.B. & M. near Mace station.

Mace station is a siding about five miles west of Barstow. At the present time there is a public crossing one mile west and another a little less than one mile east of the proposed crossing. The main county highway of this section runs east and west along the north line of Sections 32 and 33. Another county road runs east and west along the south line of these sections but this road is not of substantial construction. Travel is very light through this entire section.

Certain residents of this vicinity desire the proposed crossing as a means of reaching Mace Station from the south and also as a means of shortening the distance which school children living north of the crossing have to travel on the sandy roads to reach the school which is one half mile south of the track. The proposed crossing would allow six of the children in question to travel one mile further on the improved highway along the north side of the section. All of these children live close to the existing north and south road one mile west of the crossing applied for. It would seem more reasonable to improve the existing roads rather than to spend several hundred dollars opening an additional crossing and constructing a mile of new road, as the traffic to be developed does not warrant another crossing in addition to those already in existence. If the settlers in this vicinity feel that the proposed crossing would be more convenient than the crossing one mile east or the crossing one mile west, the crossing asked for should be established and the least desirable crossing closed. The application should be granted under that condition.

O R D E R

County of San Bernardino having applied to the Commission for permission to construct a public road at grade across the tracks of the Atchison, Topeka and Santa Fe Railway Company on the line between the Southeast Quarter of Section 32 and the Southwest Quarter of Section 33, Township 10 North, Range 2 West, S.B.B. & M., as hereinafter indicated, a public hearing having been held thereon and it appearing to the Commission that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED, That permission be and the same hereby is granted San Bernardino County to construct a road crossing at grade across the tracks of the Atchison, Topeka and Santa

Fe Railway Company on the line between the Southeast Quarter of Section 32 and the Southwest Quarter of Section 33, Township 10 North, Range 2 West, S.B.B. & M., as shown on the map attached to the application, said crossing to be constructed subject to the following conditions, viz:

(1) This crossing shall not be opened for traffic until either the nearest crossing to the east or the nearest crossing to the west shall have been closed to public travel. The crossing to be closed shall be determined by the applicant.

(2) The entire expense of constructing the crossing shall be borne by the applicant. The expense 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, with the exception of that portion of the crossing between the rails and two (2) feet outside thereof, which shall be borne by the Atchison, Topeka and Santa Fe Railway Company.

*C.C.E.*  
*Nov. 27, 1920*

(3) Said crossing shall be constructed of a width of not less than twenty-four (24) feet, 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.

(4) 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 11<sup>th</sup> day of October, 1920.

Edwin J. Egan  
H. B. Loveland

H. B. Brundage  
Dwight Martin  
Commissioners.