

Decision No. 9602

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 at grade over the Southern)
Pacific Railroad on Cactus Avenue)
near Bloomington, in San Bernardino)
County.)

Application No. 6814.

John L. Campbell, for Applicant.
F. B. Austin, for Southern Pacific Company.
John B. Haas, for the Guarantee Trust and
Savings Bank.

By The Commission:

O P I N I O N

This is an application by the County of San Bernardino for permission to construct Cactus Avenue near Bloomington across the main line of the Southern Pacific.

A public hearing in this matter was held before Examiner Williams in San Bernardino August 16th, at which time The Guarantee Trust and Savings Bank, an interested party, requested a continuance for the purpose of securing the presence of additional witnesses. The matter was thereupon adjourned and, on September 30th, the hearing was resumed.

Cactus Avenue extends both north and south from the right of way of the Southern Pacific along the easterly line of Section 22, Township 1 South, Range 5 West, S.B.B. and M.. Lilac Avenue and Spruce Avenue are open roads across the Southern Pacific one quarter mile to the east and west of Cactus Avenue, respectively. Colton Avenue is a paved boulevard extending east and west and is located approximately 1000 feet north of the railroad at Cactus

Avenue. Slover Avenue is an east and west road located approximately 1500 feet south of the railroad. Both Colton Avenue and Slover Avenue intersect, among others, all of the north and south roads above named. With the exception of Colton Avenue, which is paved, the roads other than Cactus Avenue in this vicinity are oil roads in fair condition.

The railroad which it is desired to cross is a high speed main line of the Southern Pacific running in an easterly and westerly direction, over which are operated ten passenger trains and fourteen freight trains per day. The railroad is in a cut immediately east of the proposed crossing and there are orange groves located on both the north and south sides of the railroad east of Cactus Avenue with the result that the view to the east is seriously obstructed.

The purpose of opening Cactus Avenue across the railroad is to give the residents on Cactus Avenue to the south a more direct access to Colton Avenue. Cactus Avenue has little, if any, travel beyond a point about one mile south of the railroad. There are three houses on Cactus Avenue to the south of the railroad, only one of which is located between the railroad and Slover Avenue. It therefore appears that there is at present only one family that is required to go any additional distance to secure an outlet to either the east or west along Colton Avenue, due to the fact that Cactus Avenue is not open across the railroad.

The testimony clearly indicates that there is no public necessity or convenience that would be served by the installation of the proposed crossing commensurate with the hazards of accident that would be created, and the application should therefore be denied.

O R D E R

The County of San Bernardino having made application for permission to construct Cactus Avenue at grade across the track of the Southern Pacific Company, a public hearing having been held and the matter being under submission and ready for decision,

IT IS HEREBY ORDERED, that the application be and it is hereby denied.

Dated at San Francisco, California, this 14th day of October, 1921.

H. W. Leonard
Charles A. [unclear]
[unclear]
Commissioners.