

Decision No. 26000.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the County of Orange for an order authorizing the re-location of a grade crossing over the right of way and tracks of The Atchison, Topeka and Santa Fe Railroad Company at Taylor Street, near Richfield, in the County of Orange, State of California.

Application No. 18779.

BY THE COMMISSION:

ORIGINAL

O R D E R

The Board of Supervisors of the County of Orange, State of California, on March 21, 1933, applied for authority to construct a public road known as Taylor Street at grade across the track of The Atchison, Topeka and Santa Fe Railway Company, in the said County of Orange. The Atchison, Topeka and Santa Fe Railway Company, on April 13, 1933, signified, in writing, that it has no objection to the construction of said crossing at grade.

It appearing that a public hearing is not necessary herein; that it is neither <sup>reasonable</sup> nor practicable at this time to provide a grade separation or to avoid a grade crossing with said track at the point mentioned and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the Board of Supervisors of the County of Orange, State of California, is hereby authorized to construct Taylor Street at grade across the track of

The Atchison, Topeka and Santa Fe Railway Company, at the location more particularly described in the application and as shown by the map (Exhibit "A") attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 2B-40.7.
- (2) The Atchison, Topeka and Santa Fe Railway Company shall bear the expense of putting its track in condition to receive the pavement, including any reconstruction of the track, ties, ballast and steel guard rails. Applicant shall bear the expense of paving the roadway within the railroad right of way including paving or planking the actual crossing. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company. The Atchison, Topeka and Santa Fe Railway Company shall perform all actual work of preparing the crossing between lines two (2) feet outside of the rails to receive the pavement.
- (3) The crossing shall be constructed of a width of not less than twenty (20) feet and at an angle of approximately eighty (80) degrees to the railroad and with grades of approach not greater than six (6) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by a Standard No. 1 Crossing sign, as specified in our General Order No. 75-A, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Upon the completion of the crossing herein authorized, and upon its being opened to public use and travel the existing crossing of Taylor Street (Crossing No. 2B-40.7), located approximately three hundred (300) feet westerly from the one herein authorized, shall be legally abandoned and effectively closed to public use and travel.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (7) 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 29<sup>th</sup> day of May, 1933.

CC Seaver

W. J. Linn

M. B. Harris

M. B. Harris  
Commissioners.