

Decision No. 26677

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
CITY OF ONTARIO for an order for a pub-)
lic highway, or crossing, across the)
tract of the Southern Pacific Railway) Application No. 19224
Company in the City of Ontario at a)
point 129 feet north of the center line)
of State Street in the City of Ontario.)

BY THE COMMISSION.

ORIGINAL

O R D E R

The City of Ontario, County of San Bernardino, State of California, on December 11, 1933, applied for authority to construct an unnamed public street at grade across the track of Southern Pacific Company, in the said City of Ontario. Southern Pacific Company has 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 reasonable 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 City of Ontario, in the County of San Bernardino, State of California, is hereby authorized to construct an unnamed street at grade across the track of Southern Pacific Company, at the location more particularly described in the application and as shown by the maps (Exhibits "A," "B" and "C") attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. BAB-524.98.
- (2) The entire expense of constructing the crossing shall be borne by applicant. 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 Southern Pacific Company.

- (3) The crossing shall be constructed of a width of not less than thirty-six (36) feet and at an angle of approximately ninety (90) 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 General Order No. 72 of this Commission; shall be protected by a standard No. 1 crossing sign, as specified in this Commission's General Order No. 75, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) 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.
- (5) 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.
- (6) 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 22^d day of December, 1933.

O. L. Seaman
Leon O. Whitwell
W. H. Lane
M. B. Harris

Commissioners