

ORIGINAL

Decision No. 26886.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the People of the State of California, on relation of the Department of Public Works, for an order authorizing the relocation, reconstruction and alteration of a crossing at grade of the State highway and the tracks of The Atchison, Topeka and Santa Fe Railway, Escondido Branch, near South Oceanside, in the County of San Diego, State of California.

Application No. 19287.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on January 29, 1934, applied for authority to relocate, reconstruct and alter State highway known as Road XI-SD-2 at grade across the track of Escondido Branch of The Atchison, Topeka and Santa Fe Railway Company, in the vicinity of the City of Oceanside, County of San Diego, State of California.

The Atchison, Topeka and Santa Fe Railway Company on March 3, 1934, signified, in writing, that it has no objection to the reconstruction 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 People of the State of

California, on relation of the Department of Public Works, are hereby authorized to relocate, reconstruct and alter State Highway XI-SD-2 at grade across the track of the Escondido Branch of The Atchison, Topeka and Santa Fe Railway Company at the location as shown by the map (Exhibit "A") attached to the application, subject to the following conditions and not otherwise:

- (1) The above crossing is identified as Crossing No. 2E-0.3.
- (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 outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company.
- (3) The crossing shall be constructed to a width of not less than forty (40) feet and at an angle of 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. 3 in our General Order No. 72 and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Two (2) No. 3 Automatic Wigwags, as specified in General Order No. 75-A of this Commission shall be installed at the sole expense of applicant, and maintained thereafter by The Atchison, Topeka and Santa Fe Railway Company, for the protection of said crossing herein authorized to be reconstructed.
- (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 19th
day of March, 1934.

Chas. E. ...

Leon ...

W. J. ...

M. B. ...

Walter ...

Commissioners.