

Decision No. 26960.

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 construction of crossings at grade of the State Highway and certain tracks of The Atchison, Topeka and Santa Fe Railway Company, near Pine Lodge, San Bernardino County, California.

Application No. 19223.

**ORIGINAL**

BY THE COMMISSION:

ORDER

The People of the State of California, on relation of the Department of Public Works, on December 9, 1934, applied for authority to construct a State Highway, known as Road VIII-San Bernardino-59-A, at grade across the eastbound and westbound main tracks of The Atchison, Topeka and Santa Fe Railway Company, in the vicinity of Pine Lodge, County of San Bernardino, California. The Atchison, Topeka and Santa Fe Railway Company, on January 10, 1934, signified, in writing, that it has no objection to the construction of said crossings at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings with said tracks at the points 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 construct State Highway Route VIII-San Bernardino-59-A at grade across the eastbound and westbound main tracks of The Atchison, Topeka and Santa Fe Railway Company at the locations as shown by the maps Exhibit "A" attached to the application and Exhibit "C" filed subsequently to be made a part of the application, subject to the following conditions and not otherwise:

- (1) The above crossing over the eastbound main track shall be identified as Crossing No. 2-61.7, and the above crossing over the westbound main track shall be identified as Crossing No. 2-60.9.
- (2) The entire expense of constructing the crossings shall be borne by applicant. The cost of maintenance of those portions of said crossings outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of the crossings between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company.
- (3) The crossings shall be constructed of a width of not less than twenty-four (24) feet and at angles to the railroad as shown on said Exhibits "A" and "C" 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 and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) The main line tracks at each of the crossings herein authorized shall be protected by two (2) No. 3 wigwag signals, as specified in our General Order No. 75 A. The cost of construction of said wigwag signals shall be borne by applicant and their maintenance thereafter shall be borne by The Atchison, Topeka and Santa Fe Railway Company.
- (5) No train, engine, motor or car shall be operated over the spur track crossing at Crossing No. 2-61.7 unless traffic on the highway is protected by a member of the train crew or other competent employee acting as flagman.
- (6) Upon the completion of the grade crossings herein authorized and upon their being opened to public use and travel, applicant shall cause the following four grade crossings over the tracks of The Atchison, Topeka and Santa Fe Railway Company to be legally abandoned and effectively closed to public use and travel:

(6) Continued.

- | <u>Crossing No.</u> | <u>Location</u>   |
|---------------------|---|
| 2-62.0              | Over Eastbound main track near N.E. Corner, Section 34, T.3 N, R. 6 W, S.B.M. |
| 2-60.9              | Over Westbound main track at Pine Lodge Station.                              |
| 2-61.7-C            | Over spur track adjacent to E.B. main line near Crossing No. 2-61.7.          |
| 2-62.0-C            | Over connecting track between Eastbound and Westbound main lines.             |
- (7) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of its compliance with the conditions hereof.
- (8) 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.
- (9) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 16<sup>th</sup> day of April, 1934.

C. S. Seaver  
Leon Whitwell  
M. J. Lee  
M. B. Harris  
W. H. Smith  
Commissioners.