

Decision No. 29191

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of THE ATCHISON, TOPEKA AND SANTA
FE RAILWAY COMPANY, a corporation,
for authority to construct a spur
track at grade across Mill Street,
in the Cities of San Bernardino
and Colton, San Bernardino County,
California.)

Application No. 20735

BY THE COMMISSION.

ORIGINAL

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on August 29, 1936, applied for authority to construct a spur track at grade across Mill Street in the Cities of San Bernardino and Colton, County of San Bernardino, State of California. The necessary franchise or permit has been granted by the Common Council and City Council of said Cities for the construction of said crossing at grade, as per Exhibits "B" and "C" attached to the application.

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 at the point mentioned and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct a spur track at grade across a portion of Mill Street in the Cities of San Bernardino and Colton, County of San Bernardino, State of California, at the

location shown by the map (Division Engineer's Drawing No. L.4-12520) attached to the application and more particularly described as follows:

Beginning at a point in the north line of Mill Street distant thereon 998.42 feet west of the center line of Bordwell Street, produced northerly; thence southeasterly 91.08 feet in a direct line making a northwesterly angle of 64 degrees 56 minutes with the center line of Mill Street to a point in the south line of Mill Street, distant thereon 959.84 feet west of the center line of Bordwell Street; said center line of Mill Street being the south boundary of the City of San Bernardino, as well as the north boundary of the City of Colton,

subject to the following conditions:

- (1) The above crossing of Mill Street shall be identified as a portion of Crossing No. 2B-1.1.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossing shall be constructed equal or superior to the type shown as standard No. 2-A in General Order No. 72 of this Commission, and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway.
- (4) Applicant shall, within thirty (30) days there, after, 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.

~~October~~ Dated at San Francisco, California, this 13th day of ~~November~~, 1936.

M. B. Davis
L. A. Cunn
J. H. Cunn
J. H. Cunn
J. H. Cunn
Commissioners.