

Decision No. 29432

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the UNITED STATES OF AMERICA, on relation of the Department of Agriculture, Bureau of Public Roads, for an order authorizing the construction of crossing at grade of a public highway and the spur tracks of the California, Arizona and Santa Fe Railway, in the Metropolitan Water District of Southern California siding and storage yard at Earp, in the County of San Bernardino, California.

Application No. 20841

BY THE COMMISSION:

O R D E R

The United States of America on relation of the Department of Agriculture, Bureau of Public Roads, on October 29, 1936, applied for authority to construct a public highway at grade across spur tracks of The Atchison, Topeka and Santa Fe Railway Company, at Earp, San Bernardino County. The Atchison, Topeka and Santa Fe Railway Company, on December 16, 1936, 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 tracks at the point mentioned and that the application should be granted,

IT IS HEREBY ORDERED that the United States of America on relation of the Department of Agriculture, Bureau of Public

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Roads, is hereby authorized to construct a public highway at grade across the spur tracks of The Atchison, Topeka and Santa Fe Railway Company, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 2P-107.7-C.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of those portions of said crossing outside of lines two (2) feet outside of the rails of each track shall be borne by applicant. The maintenance of those portions of the crossing between lines two (2) feet outside of the rails of each track shall be borne by The Atchison, Topeka and Santa Fe Railway Company.
- (3) The crossing shall be constructed of a width of not less than twenty-eight (28) feet and with grades of approach not greater than three (3) 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 2 Standard No. 1 crossing signs 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) 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 4<sup>th</sup>  
day of January, 1937.

William M. M. M.  
Leon A. M. M.  
Frank R. M. M.

Commissioners.