

Decision No. 29716.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of  
the County of Riverside, a body  
politic and corporate of the State  
of California, for an order author-  
izing the construction of a crossing  
for a public highway over the right  
of way of The Atchison, Topeka and  
Santa Fe Railway Company.

ORIGINAL

Application No. 20931.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Riverside, State of California, on December 23rd, 1936, applied for authority to construct a public road known as Iris Avenue at grade across the track of The Atchison, Topeka and Santa Fe Railway Company in the said County of Riverside. The Atchison, Topeka and Santa Fe Railway Company, on January 22nd, 1937, 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 Board of Supervisors of the County of Riverside, State of California, is hereby authorized to construct Iris Avenue at grade across the track of The Atchison, Topeka and Santa Fe Railway Company, at the location more particularly described in the application and as shown by the maps

(Exhibits "B," "C" and "D") attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 2X-10.6.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to 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 The Atchison, Topeka and Santa Fe Railway Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of The Atchison, Topeka and Santa Fe Railway Company. The Atchison, Topeka and Santa Fe Railway Company shall perform all actual work of constructing the crossing between lines two (2) feet outside of the rails.
- (3) The crossing shall be constructed of a width of not less than thirty (30) feet and at an angle of approximately seventy-two (72) 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 our General Order No. 72; shall be protected by two 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) Prior to the beginning of actual construction of the crossing herein authorized, the County of Riverside shall file with this Commission a certified copy of an appropriate ordinance or resolution, duly and regularly passed, instituting all necessary steps to legally abandon and effectively close the existing public grade crossing, located approximately one hundred and thirty (130) feet north of the center line of Iris Avenue and identified as Crossing No. 2X-10.6. Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, said Crossing No. 2X-10.6 shall be legally abandoned and effectively closed to public use and travel.
- (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 26<sup>th</sup> day of April, 1937.

Matthew W. ...  
Leon ...  
Frank ...  
Ray ...  
Ray & Riley  
Commissioners.