

ORIGINAL

Decision No. 11684.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application)
of the City of Montebello, a)
municipal corporation, for permis-)
sion to construct Vail Avenue at) Application No. 8561.
grade across the tracks of the)
Union Pacific Railroad Company.)

BY THE COMMISSION:

O R D E R

The Board of Trustees of the City of Montebello, County of Los Angeles, State of California, having on January 9, 1923, filed with the Commission an application for permission to construct Vail Avenue, in the City of Montebello, at grade across the tracks of Union Pacific Railroad Company and having on January 26, 1923 filed an amendment to said application substituting the words "Los Angeles-Salt Lake Railroad Company" for the words "Union Pacific Railroad Company", and it appearing to the Commission that this is not a case in which a public hearing is necessary; that said Los Angeles and Salt Lake Railroad Company has signified by letter that it has no objection to the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable

to avoid grade crossings with said tracks, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be hereby granted the Board of Trustees of the City of Montebello, County of Los Angeles, State of California, to construct a street at grade across the tracks of the Los Angeles and Salt Lake Railroad Company at Vail Avenue in the location shown on the map attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings shall be borne by the applicant. The cost of its maintenance up to lines two (2) feet outside of the outside rails shall be borne by the applicant. The maintenance of that portion of the crossings between lines two (2) feet outside of the outside rails shall be borne by the Los Angeles and Salt Lake Railroad Company.

(2) The crossings shall be constructed of a width not less than twenty-four (24) feet and at an angle of sixty-nine (69) degrees and forty-nine (49) minutes to railroad and with grade of approach not greater than two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) An automatic flagman shall be installed for the protection of said crossings at the expense of applicant, said flagman to be of a type and installed in accordance with plans or data approved by the Commission. The

maintenance of said flagman shall be borne by Los Angeles and Salt Lake Railroad Company.

(4) Applicant shall within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(5) The authorization herein granted for the installation of said crossings shall lapse and become void one year from the date of this order 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 crossings as it may seem right and proper and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

This order shall become effective twenty (20) days after the making thereof.

Dated at San Francisco, California, this 20th day of February, 1923.

C. L. Seavy

Irving Masten

Ernest R. Stone

J. T. Whitney

Commissioners.