

ORIGINAL

Decision No. 12044

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application)
of The Atchison, Topeka and Santa)
Fe Railway Company, a corporation,)
for authority to construct a spur)
track in and along a public alley)
north of McPherson Street and east)
of Santa Fe Avenue to serve the)
City of Los Angeles.)

Application No. 8341.

A. T. Lucey, for Applicant.

BY THE COMMISSION:

O P I N I O N

This is an application by The Atchison, Topeka and Santa Fe Railway Company for permission to construct a spur track along and across a public alley north of Mc Pherson Street and east of Santa Fe Avenue in the City of Los Angeles for the purpose of serving an asphalt plant of the city.

A public hearing was held on this application before Examiner Williams, in Los Angeles, on March 27, 1923.

There appears to be no objection to the construction of this spur track at grade across the alley above mentioned and it further appears that it is not reasonable nor practicable to avoid a grade crossing with said alley.

It was stipulated at the hearing that the applicant would within ninety (90) days thereafter submit a certified copy of a franchise from the City of Los Angeles for the construction of said crossing at grade or in the event that

this was not done that the application should be dismissed. Pursuant to this stipulation a certified copy of the necessary franchise (Ordinance No. 45537 N.S.) passed by the City Council of said County of Los Angeles has been filed and it now appears that this application should be granted subject to certain conditions.

O R D E R

The Atchison, Topeka and Santa Fe Railway Company having made application for permission to construct a spur track at grade along and across a certain alley north of McPherson Street and east of Santa Fe Avenue in the City of Los Angeles, a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision,

IT IS HEREBY ORDERED, that permission be and it is hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across a public alley in the City of Los Angeles, County of Los Angeles, State of California, described as follows:

Beginning at a point in the center line of that certain public alley north of McPherson Street and east of Santa Fe Avenue in the City of Los Angeles which point is also in the center line of the spur track No. 235 of The Atchison, Topeka and Santa Fe Railway Company, 765.3 feet from the point of switch of the said Track No. 235; thence southwesterly 75.75 feet on a curve concave to the southeast and having a radius of 603.81 feet; thence southwesterly 42.62 feet on a tangent to a point in the southern line of said alley, 445.80 feet easterly measured along the said southern line from the northwest corner of Lot No. 145 of the aforesaid tract; the point of switch to be located 14.5 feet westerly from the point of beginning.

All of the above as shown by the map (Division Engineer

Drawing L-3-4762) attached to the application; said crossing to be constructed subject to the following conditions:

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said alley now graded, and with the top of rails flush with the pavement, and with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

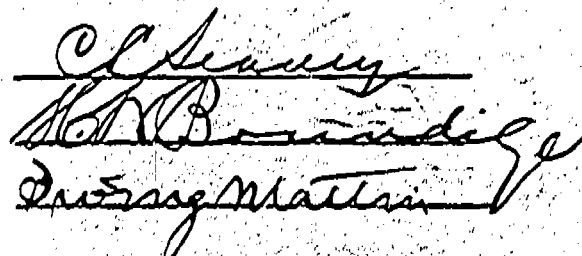
(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) The authorization herein granted for the installation of said crossing will lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) 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, the public convenience and necessity demand such action.

This order shall become effective three (3) days after the making thereof.

Dated at San Francisco, California, this 8th day of May, 1923.



Commissioners.