

Decision No. 12131

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of Pacific Electric Railway Company, a corporation, for authority to construct a spur track at grade across Santa Monica Boulevard, Alden Drive and Third Street, in the City of Beverly Hills, County of Los Angeles, State of California, on Petitioner's Hollywood Line.) Application No. 8900

BY THE COMMISSION:

O R D E R

Pacific Electric Railway Company, a corporation, having on April 9, 1923, filed with the Commission an application for permission to construct a spur track at grade across Santa Monica Boulevard, Alden Drive and Third Street, in the City of Beverly Hills, County of Los Angeles, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit (No. 90) has been granted by the Board of Trustees of said City of Beverly Hills for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Santa Monica Boulevard, Alden Drive and Third Street, and that this application should be granted sub-

ject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Pacific Electric Railway Company to construct a spur track at grade across Santa Monica Boulevard, Alden Drive and Third Street in the City of Beverly Hills, County of Los Angeles, State of California, described as follows:

"Commencing at a point in the northwesterly line of the south-easterly roadway of Santa Monica Boulevard, distant northeasterly 112.93 feet from the intersection of said northwesterly line with the northerly prolongation of the westerly line of Lot 8 in Block 14, Tract No. 5647 as per map recorded on page 88 in Book 60 of Maps, Los Angeles County Records; thence southerly along a curve concave easterly and having a radius of 461.90 feet, a distance of 61.53 feet to the beginning of a curve concave easterly and having a radius of 268.72 feet; thence southerly along last mentioned curve 121.22 feet; thence South $0^{\circ}08'56''$ East, 18.64 feet to a point in the north line of said Lot 8, distant easterly 30 feet from the northwest corner of said Lot 8.

Also, commencing at a point in the south line of said Lot 8, distant easterly 30 feet from the southwest corner of said Lot; thence southerly in a direct line across Alden Drive to a point in the north line of Lot 9 in Block 15 of said Tract 5647, distant easterly 30 feet from the northwest corner of said Lot 9.

Also, commencing at a point in the south line of said Lot 9, distant easterly 30 feet from the southwest corner of said Lot 9; thence southerly in a direct line across Third Street to a point in the north line of Lot 19 in Block 16 of said Tract 5647, distant easterly 30 feet from the northwest corner of said Lot 19."

All of the above as shown by the map (C.E. 5783) attached to the application; said crossings to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossings, together with the cost of their 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 of Santa Monica Boulevard shall be constructed of a width and type of construction to conform to that portion of said street now graded, 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) Said crossings of Alden Drive and Third Street shall be so constructed that grades of approach not exceeding two (2) per cent will be feasible in the event that the construction of roadway along said Alden Drive and Third Street shall hereafter be authorized and so that said grade crossings of Alden Drive and Third Street may be made safe for the passage thereover 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 crossings.

(5) This order is made upon the express condition that Alden Drive and Third Street are not now actually constructed and open to travel at the respective points of crossings, and said order shall not be deemed an authorization for the construction of an opening of said streets to public use across said railroad track.

(6) The authorization herein granted for the installation of said crossings will lapse and become void one year from the date of this order 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 crossings 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 24th day of May, 1923.

Clavery
J. W. Mastria
Egerlon Shore
Commissioners.