

Decision No. 12795

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of)
Southern Pacific Company for an order)
authorizing the construction at grade)
of a spur track across alleyways be-)
tween Violet and Bay Streets and Mateo)
and Wilson Streets, in the City of Los)
Angeles, County of Los Angeles,)
State of California.)

Application No. 9480.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, having on October 27, 1923, filed with the Commission an application for permission to construct a spur track at grade across alleys between Violet and Bay Streets and Mateo and Wilson Streets, in the City of Los Angeles, 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 permit has been granted by the City Council of said City of Los Angeles 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 spur track, and that this application should

be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct a spur track at grade across two alleyways between Violet and Bay Streets and Mateo and Wilson Streets, in the City of Los Angeles County of Los Angeles, State of California, described as follows:

Beginning at a point in the south line of alley between Violet Street and Bay Street, said point being distant 250.0 ft., more or less, measured easterly along the south line of alley from its intersection with the east line of Wilson Street; thence northeasterly into street a distance of 55.0 ft., more or less, to a point; thence northeasterly along a 200° curve, concave to the right, a distance of 60.0 ft., more or less, across alley to a point in the west line of Lot 98, Wick's Sub. of Kiefer Tract, said point being distant 10.0 ft. measured southerly along said west line of Lot 98 from its intersection with south line of Lot 97.

All of the above as shown by the map (Los Angeles Division Drawing F 8608) 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 crossings shall be constructed of a width and type of construction to conform to those portions of said alleyways now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding one (1) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall not use the granting of this application either by way of defense or argument on the ground

of capital expenditure or in any way against any order of this Commission heretofore or hereafter made providing for any railroad unification or terminal plans in the City of Los Angeles.

(4) Applicant shall, within ninety (90) days submit certified copy of a franchise from the City of Los Angeles for the construction of said crossings at grade.

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

(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 5th day of November, 1923.

C. C. Seaver
H. B. Brandage
Egerton Shore
Commissioners.