

Decision No. 12841

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of  
Los Angeles & Salt Lake Railroad  
Company, a corporation, for author-  
ity to construct, maintain and operate  
certain railroad tracks, at grade,  
across Lawrence Street and Hunter  
Street, in the City of Los Angeles,  
and across a spur track of the  
Atchison, Topeka & Santa Fe Rail-  
way Company, situated upon and along  
Lawrence Street.

ORIGINAL

Application No. 9448.

BY THE COMMISSION:

O R D E R

Los Angeles and Salt Lake Railroad Company, a corporat-  
ion, having on October 15, 1923, filed with the Commission an  
application for permission to construct its spur tracks at grade  
across Lawrence Street and Hunter Street and at grade across a  
spur track of The Atchison, Topeka and Santa Fe Railway Company  
situated upon and along Lawrence Street 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 franchise or  
permit (Ordinance No. 47,059 H.S.) has been granted by Council of  
said City of Los Angeles for the construction of said crossings at  
grade, that The Atchison, Topeka and Santa Fe has signified by  
letter that it will not object to the crossing over its track,  
and it further appearing that it is not reasonable nor practicable

to avoid grade crossings with said Lawrence Street, Hunter Street and a spur track of the Atchison, Topeka and Santa Fe Railway Company situated upon and along Lawrence Street, 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 Los Angeles and Salt Lake Railroad Company to construct its spur tracks at grade across Lawrence Street and Hunter Street in the City of Los Angeles, County of Los Angeles, State of California, described as follows:

(1) Beginning at a point in the easterly boundary line of Lot 1, Tract 2513, as recorded in Book 35, Page 30 of Maps, Records of the County of Los Angeles, north  $3^{\circ}0'$  east, measured along the easterly boundary line of said Lot 1, one hundred fifty-seven and ninety-five hundredths (157.95) feet from the southeasterly corner of said Lot 1; thence south  $75^{\circ}0'15''$  east, sixty-one and thirty-four hundredths (61.34) feet across Lawrence Street to a point in the westerly boundary line of Lot 2 of said Tract 2513, said point bearing north  $3^{\circ}0'$  east, one hundred fifty-seven and ninety-five hundredths (157.95) feet from the southwesterly corner of said Lot 2.

(2) Beginning at a point in the easterly boundary line of Lot 1, of Tract 2513, as recorded in Book 35, Page 30 of Maps, Records of the County of Los Angeles, North  $3^{\circ}0'$  East, measured along the easterly boundary line of said Lot 1, one hundred forty-four and sixty-five hundredths (144.65) feet from the southeasterly corner of said Lot 1; thence south  $75^{\circ}0'15''$  east, sixty-one and thirty-four hundredths (61.34) feet across Lawrence Street to a point on the westerly boundary line of Lot 2 of said Tract 2513, which point bears north  $3^{\circ}0'$  east, one hundred forty-four and sixty-five hundredths (144.65) feet from the southwesterly corner of said Lot 2.

(3) Beginning at a point in the southerly boundary line of Lot 2, Tract 2513, as recorded in Book 35, Page 30 of Maps, Records of the County of Los Angeles, forty-seven and five tenths (47.5) feet north,  $72^{\circ}31'15''$  west from the southeasterly corner thereof; thence southeasterly on a curve concave to the southwest, and whose radius and center of arc at the point of commencement bears south  $67^{\circ}28'45''$  west, 410.275 feet, a distance of seventy-five (75.0) feet more or less, across Hunter Street, to a point on the northerly line of Lot 17 of Hiscock & Smith second addition to Los Angeles, as recorded in Book 26, Page 45, Miscellaneous Records of Los Angeles County, California, said point being north  $72^{\circ}31'15''$  west, twenty-nine (29) feet from the northeast corner of said Lot 17.

All of the above as shown by the map (Exhibit "B") 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 Lawrence Street and Hunter Street 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 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 will lapse and become void one year from the date of this order unless further time is granted by subsequent order.

IT IS HEREBY FURTHER ORDERED, that permission be and it is hereby granted Los Angeles and Salt Lake Railroad Company to construct its above described spur tracks at grade across the track of The Atchison, Topeka and Santa Fe Railway Company situated upon and along Lawrence Street in the City of Los Angeles, County of Los Angeles, State of California, as shown by the map (Exhibit "B") attached to the application, subject to the following conditions; viz:-

(1) The entire expense of constructing and maintaining the

crossings in good and first-class condition shall be borne by applicant.

(2) No engine, car, or train of applicant shall be operated over said crossings without first having been brought to a stop and shall not proceed thereover until it shall have been found that it is safe to do so.

(3) No engine, car, or train of The Atchison, Topeka and Santa Fe Railway Company shall be operated over said crossings without first having been brought to a stop and shall not proceed thereover until it shall have been found that it is safe to do so.

(4) Applicant shall, within one hundred and twenty (120) days, submit executed copy or copies of agreement or agreements made between the applicant and said Atchison, Topeka and Santa Fe Railway Company relative to construction, maintenance and operation of said crossings.

(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) 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.

IT IS HEREBY FURTHER ORDERED, that 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 19<sup>th</sup> day of November, 1923.

C. S. Seamy  
H. B. Bunnell  
George Hartman  
Ernest Shore  
J. T. Whittey  
Commissioners.