

ORIGINAL

Decision No. 13026

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of application of )  
Pacific Electric Railway Company )  
for permission to construct and )  
maintain a railroad at grade )  
across the tracks of the Los )  
Angeles Railway Corporation in )  
First Street at the intersection )  
of First Street and Glendale )  
Boulevard (formerly Lakeshore )  
Avenue) in the city of Los Angeles. )

Application No. 9530.

BY THE COMMISSION:

O R D E R

Pacific Electric Railway Company, a corporation, having on November 19, 1923, filed with the Commission an application for permission to construct its double track railroad at grade across First Street at the intersection of First Street and Glendale Boulevard, and at grade across two tracks of the Los Angeles Railway Corporation in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter indicated, and it appearing that construction of said crossings is incident to and a part of the general project contemplated by the construction of a tunnel from a point near Hill Street to a point near the intersection of First Street and Glendale Boulevard authority for which has been granted by the Commission in Decision No. 12924,

dated December 13, 1923, and rendered in Application No. 9426; that the necessary franchise or permit (Ordinance No. 44567, New Series) has been granted by the City Council of the City of Los Angeles for the construction of said crossing at grade across the intersection of First Street and Glendale Boulevard; that the Los Angeles Railway Corporation has indicated in writing that it has no objection to said crossing over its tracks; this is not a case in which a public hearing is necessary, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said tracks of Los Angeles Railway Corporation or with said First Street at the intersection of Glendale Boulevard, that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Pacific Electric Railway Company to construct its double track railroad at grade across First Street at its intersection of Glendale Boulevard in the City of Los Angeles, County of Los Angeles, State of California, described as follows:

Commencing at a point in the southwesterly line of First Street, distant northwesterly 11.45 feet from the westerly line of Lucas Avenue; thence northerly along a 5° curve, 32.01 feet; thence northerly along the southerly prolongation of the center line between the present constructed tracks of the Pacific Electric Railway on Glendale Boulevard, 147.36 feet to a point in said center line.

All of the above as shown by the map (C.E. 5897) attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(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 First Street now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding five (5) 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) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, 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.

IT IS HEREBY FURTHER ORDERED, that permission be and it is hereby granted said Pacific Electric Railway Company to construct its double track railroad at grade across the tracks of Los Angeles Railway Corporation situated in First Street at the intersection of First Street and Glendale Boulevard, City of Los Angeles, County of Los Angeles, State of California, as shown by the map (C.E. 5897) 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 shall be borne by applicant.

(2) All trains, motors and cars of applicant shall

stop before crossing the tracks of Los Angeles Railway Corporation and shall not proceed thereover until it has been ascertained that it is safe so to do.

(3) Applicant shall within sixty (60) days of the date of this order file with the Commission duly executed copy or copies of agreement or agreements with said Los Angeles Railway Corporation covering the terms of installation, operation and maintenance of said crossings.

(4) All trains, motors and cars of Los Angeles Railway Corporation shall stop before crossing the tracks of applicant and shall not proceed thereover until it has been ascertained that it is safe so to do.

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

(6) If said crossings shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, 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 10<sup>th</sup> day of January, 1924.

*C. A. ...*  
*H. B. ...*  
*Darius ...*

*J. W. ...*  
Commissioners.