

ORIGINAL

Decision NO. 13073

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

- 00 -

In the matter of the application of Pacific Electric Railway Company, a corporation, for authority to construct a single railroad spur track at grade across Daisy Avenue, Long Beach, California, between 14th and Cowles Streets, in the City of Long Beach, State of California.

Application No. 9645.

BY THE COMMISSION:

O R D E R

Pacific Electric Railway Company, a corporation, having on December 27, 1923, filed with the Commission an application for permission to construct a spur track at grade across Daisy Avenue in the City of Long Beach, 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 a temporary permit has been granted by the City Council of said City of Long Beach for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Daisy Avenue, 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 Pacific Electric Railway Company to construct a spur track at grade across Daisy Avenue in the City of Long Beach, County of Los Angeles, State of California, described as follows:

"Beginning at a point in the present constructed track of the Pacific Electric Railway Company in Daisy Avenue, City of Long Beach, said point being northerly along said constructed track one hundred and twenty-seven and nine-tenths feet (127.9') from the prolonged southerly line of the alleys in the block between 14th and Cowles Streets; thence southerly and southwesterly along a number 7 turnout and a curve concave westerly and having a radius of two hundred and eighty-six and eighty-four hundredths feet (286.84') a distance of one hundred and fourteen and thirty-two hundredths feet (114.32') to the end of said curve; thence southwesterly tangent to said curve at the end of said curve a distance of fifteen and thirty-eight hundredths feet (15.38'), to the beginning of a curve concave easterly and having a radius of two hundred eighty-six and eighty-four hundredths feet (286.84'); thence southwesterly along said curve sixteen and forty-two hundredths feet (16.42') a little more or less to a point in the westerly line of said Daisy Avenue, said last mentioned point being the southerly fifteen and four-tenths (15.4') feet a little more or less from the southerly line of the alley in the block between 14th and Cowles Streets."

All of the above as shown by the map (C.E.E. 7372) attached to the application, said crossing to be constructed subject to the following conditions, namely:

(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 Daisy Avenue 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 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) Applicant shall, within ninety (90) days submit a certified copy of a franchise from the City of Long Beach for the construction of said crossing at grade, and in the event that this is not done, the authorization herein granted for the installation of said crossing shall lapse and become null and void and of no further force and effect.

(5) 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.

(6) 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 23rd day of January, 1924.

O. Shaver
Irving Mattis
J. H. Whittney
Commissioners.