

Decision No. 1364

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of application of Southern Pacific Company for an order authorizing the construction at grade of a spur track across Seaton Street and across a portion of Fifth and Colyton Streets, in the City of Los Angeles, County of Los Angeles, State of California.

Application No. 10,116.

BY THE COMMISSION:

ORIGINAL

O R D E R

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 26th day of May, 1924, asking for authority to construct its spur tracks at grade across Seaton Street and at grade across a portion of Fifth and Colyton Streets in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. The necessary temporary permit has been granted by the Board of Public Works of said City for the construction of said crossings at grade, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to provide separated grade crossings at the points mentioned in this application or to avoid grade crossings with said streets and that this application should be granted subject to the conditions hereinafter specified,

THEFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to Southern Pacific Company to construct its spur tracks at grade across Seaton Street and at

grade across a portion of Fifth and Colyton Streets, in the City of Los Angeles, County of Los Angeles, State of California, as follows:

Track No. 1

Beginning at a point in the center line of Track No. No. 2 in E. Fifth Street as per Ordinance No. 47841 of said City of Los Angeles distant 4 feet more or less westerly along said center line of track No. 2 from its intersection with westerly line of Seaton Street; thence easterly along a curved line concave to the left, having a radius of 252.35 feet, to which said center line of track No. 2 is tangent, a distance of 31.58 feet to a point; thence continuing easterly along a straight line tangent to last described course a distance of 30 feet, more or less, to a point; thence easterly along a curved line concave to the left having a radius of 239.17 feet, to which last described course is tangent, a distance of 44 feet more or less to a point in a line parallel with and distant 10.0 feet northerly at right angles from the south line of E. Fifth Street; thence continuing easterly tangent to last described course a distance of 138 feet more or less to a point; thence northeasterly along a line which makes an angle to the left 2 degrees 27 minutes a distance of 10 feet to a point; thence northeasterly along a curved line concave to the left having a radius of 286.81 feet to which the center line of last described course is tangent, a distance of 35.46 feet to a point; thence northeasterly tangent to last described course a distance of 10 feet to a point; thence northeasterly along a curved line concave to the left, having a radius of 143.42 feet to which last described course is tangent, a distance of 200 feet more or less to a point in a line parallel with and distant 9.0 feet westerly at right angles from the East line of Colyton Street; thence northerly tangent to last described course a distance of 10 feet to initial point of Track No. 2; thence continuing northerly along the last described course a distance of 347 feet more or less to end of track.

Track No. 2.

Beginning at initial point of track No. 2 as described in Track No. 1; thence northerly along a line making an angle of 2 degrees and 27 minutes to the left a distance of 10 feet to a point; thence northerly along a curved line concave to the left having a radius of 286.81 feet, to which last described course is tangent, a distance of 35.46 feet to a point; thence northerly tangent to last described course a distance of 10 feet to a point; thence northwesterly along a curved line concave to the left, having a radius of 239.17 feet, to which last described course is tangent, a distance of 44 feet more or less, to a point; thence northwesterly tangent to last described course a distance of 34 feet to a point; thence northerly along a curved line concave to the right, having a radius of 239.17 feet to which last described course is tangent, a distance of 78 feet more or less, to a point in a line parallel with and distant 10.5 feet easterly at right angles from the westerly line of Colyton Street; thence northerly tangent to last described course a distance of 296 feet more or less to end of track.

All of the above as shown by the map (Los Angeles Division Drawing

F-8672, Sheet 1 of 1, Form 30 L.A.) 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 streets 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, within ninety days submit a certified copy of a franchise from the City of Los Angeles for the construction of said crossings at grade and in the event this is not done, the authorization herein granted for the installation of said crossings shall lapse and shall thereupon become null and void and of no further force and effect.

(4) 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.

(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 lapse and become void, unless further time

is granted by subsequent order.

(Y) 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 3rd day of June, 1924.

W. H. Harrison
H. H. Harrison
Waring M. Harrison

Commissioners.