

Decision No. 14138

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Pacific Electric Railway Company, a )  
corporation, for an order authorizing )  
it to sell certain property in the )  
City of Santa Monica, California, and to )  
relocate certain railroad tracks between )  
Hollister Avenue and the south city )  
limits across Hollister Avenue, Dwight )  
Avenue, Surf Street, Ashland Avenue, )  
Pier Avenue and Marine Street at grade, )  
by moving the same westerly from thirty )  
to forty feet as the case may be. )

Application No. 10508.

BY THE COMMISSION:

O R D E R

This application recites that condemnation proceedings by the City of Santa Monica are under way for the widening of Main Street extending from Hollister Avenue southerly to the south city boundary by taking from 30 to 40 feet from the front of lots on the west side of Main Street facing that thoroughfare; that the widening of this street is an important and necessary improvement; that in order to not excessively damage the owners of property fronting on Main Street and to give such owners as much depth of lot after widening the street as before, it is proposed to sell the parcels of land at the back of such lots of 30 to 40 feet in depth as the case may be; that the applicant maintains a railroad track on said strips of land 30 to 40 feet wide, which it proposes to relocate, by moving westerly 30 to 40 feet, as the case may be, at the expense of the owners acquiring such parcels of land; that the applicant has ample land to permit of such relocation and of such sale without impairing its franchise or duties to the public; that the lands sought to be sold are no longer necessary or useful in the performance of applicant's

duties to the public; that said property has been agreed to be sold for the gross sum of \$87,646., and the costs of relocation have been agreed to as \$40,909., being the actual cost; that this sale price has been approved by the appraisers of the trustees of the mortgages or deeds of trust outstanding against said property, and is the reasonable market value; and that authority is requested to give effect to this sale and relocation.

It appears that the parties in interest are agreed upon all terms and conditions; that the proposed sale of lands is equitable and not opposed to the public interest; that the proposed relocation of railroad track at grade over certain streets will not increase the hazard; that it is neither reasonable nor practicable at this time to provide separated grade crossings, and that this proceeding is one for which a public hearing is not necessary.

THEREFORE, IT IS HEREBY ORDERED that permission and authority be and it is hereby granted Pacific Electric Railway Company to relocate its railroad track at grade across Hollister Avenue, Dwight Avenue, Surf Street, Ashland Avenue, Pier Avenue and Marine Street, by shifting the same westerly from 30 to 40 feet, as the case may be; all as shown on map (C.E.R. 8173, Exhibit "A") attached to the application, subject to the following conditions, viz:-

(1) The entire expense of maintaining the crossings 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 three (3) 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 thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(4) 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.

(5) 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.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted Pacific Electric Railway Company to sell

Lots 1 to 32, inclusive, Block No. 1;  
Lots 1 to 4, inclusive, Block No. 2;  
Lots 1 to 25, inclusive, Block No. 3;  
Lots 1 to 15, inclusive, Block No. 4;  
Lots 1 to 8, inclusive, Block No. 5;  
Lots 1 to 6, inclusive, Block No. 6;

of Tract No. 7425, as recorded in Map Book 86, pages 63 to 66, inclusive, Records of Los Angeles County,

for the sum of \$87,646.00, as shown on map C.E.H. 8173 Exhibit "A" attached to the application.

This order shall become effective two (2) days after the making thereof.

Dated at San Francisco, California, this 4<sup>th</sup> day of October, 1924.

W. B. Brundage  
Irving Martin

J. T. Whittington  
Commissioners.