

Decision No. 14835-

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
The People of the State of California,)
on Relation of the California Highway)
Commission, for an order authorizing)
the construction of a State Highway)
crossing under the tracks of the Union)
Pacific Railway Company, a corporation,)
Whittier Boulevard, near Los Angeles,)
Los Angeles County, California.)

Application No. 10982.

BY THE COMMISSION:

ORIGINAL

O P I N I O N

In this application the California Highway Commission seeks permission to construct a crossing under the tracks of the Los Angeles and Salt Lake Railroad Company (designated as the Union Pacific Railway Company in the application) at Whittier Boulevard between Los Angeles and Whittier in Los Angeles County, California, as hereinafter set forth.

Construction of the proposed subway will eliminate the existing grade crossing at this location on this heavily traveled highway. Notice has been received from the Los Angeles County Grade Crossing Committee wherein the granting of this application is heartily endorsed and the plan attached to the application as Exhibit "A" is approved.

Applicant and the railroad company involved have reached an agreement which provides for a division of costs of said undercrossing as follows:

"All costs of said grade separation shall be apportioned between and shall be borne and paid by the parties hereto upon the following basis:

The total actual cost of said grade separation, less the amount that the cost of the new paving ex-

ceeds the cost of replacing the existing paving, divided by two, shall be borne and paid by the Railroad Company. The remainder shall be borne and paid equally by the County and the Highway Commission.

After completion of the work herein contemplated, the Highway Commission shall at its sole cost and expense maintain, repair and renew the said highway covered hereby including, grading, surfacing, paving, retaining walls and curbing, and the drainage, dewatering and lighting systems; and the Railroad Company shall at its sole cost and expense maintain, repair and renew the foundations, abutments, wing walls, girders and floor system, including painting of the steel work of said subway."

The total estimated cost of the grade separation is placed at \$161,908., as shown on Exhibit "A" attached to the application.

O R D E R

People of the State of California on relation to the California Highway Commission having on April 4th, 1925, made application for an order authorizing the construction of an undergrade crossing under the tracks of the Los Angeles and Salt Lake Railroad Company at Whittier Boulevard between Los Angeles and Whittier in Los Angeles County, California, as shown more particularly on the map (Exhibit "B") attached to the application, both parties having agreed as to the division of cost of constructing said undergrade crossing, and it appearing to the Commission that a public hearing is not necessary and that this application should be granted under certain conditions hereinafter specified,

IT IS HEREBY ORDERED that California Highway Commission be and it is hereby authorized to construct a State Highway under the track of the Los Angeles and Salt Lake Railroad Company on Whittier Boulevard between Los Angeles and Whittier, Los Angeles County, California, in accordance with the plan attached to the application marked Exhibit "B", subject to the following conditions:

(1) The crossing shall be constructed at Highway Commission's engineer station 311-80 on road designated as road VII-L.A.-2.D and at an angle of $27^{\circ}-9'$ with the track of the Los Angeles and Salt Lake Railroad Company.

(2) Clearances at said undergrade crossing shall be in conformity with those specified in this Commission's General Order No. 26.

(3) The cost of constructing said undergrade crossing shall be apportioned between the Highway Commission of the State of California and the Los Angeles and Salt Lake Railroad Company in accordance with the agreement hereinbefore set forth in the Opinion of this Order.

(4) Certified copy of said agreement of division of costs, duly executed, shall be filed with the Commission within sixty days of the date of this Order.

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

(6) 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.

(7) 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.

For all other purposes, the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 22^d day of April, 1925.

W. L. Sawyer
Egerton Shore

Francis J. ...
Commissioners
