

Decision No. 17916

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of The Atchison, Topeka and Santa)
Fe Railway Company, a corporation,)
for authority to construct a spur) Application No. 11067.
track at grade across Avenue 33)
in the City of Los Angeles, County)
of Los Angeles, State of California.)

BY THE COMMISSION:

O R D E R

ORIGINAL

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 5th day of May, 1925, asking for authority to construct a spur track at grade across Avenue 33 in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. A temporary permit (Exhibit "B") has been granted by the Board of Public Works of said City of Los Angeles for the construction of said crossing 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 a grade separation, or to avoid a grade crossing at the point mentioned in this application with said Avenue 33, and that this application should be granted subject to the conditions hereinafter specified,

THEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Avenue 33, in the City of Los Angeles, County of Los Angeles, State of California, as follows:

Beginning in the northern line of Avenue 33 distant 44.56 ft. westerly from its intersection with the western line of Artesian St; thence southwesterly 54.75 ft. on a curve concave to the southeast, having a radius of 942.29 ft., to a point in the southern line of Avenue 33 distant 24.92 ft. westerly from its intersection with said western line of Artesian St.

and as shown in red by the map (Div'n. Eng. Dwg. No. I-5-7708) 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 Avenue 33 now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding two and one-half ($2\frac{1}{2}$) 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 submit a certified copy of a franchise from the City of Los Angeles 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 shall thereupon become null and void and of no further force and effect.

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

(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.

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 12th day of May, 1925.

W. B. Burdick

Ch. Seavey

Egerton Shore

George D. Squires

Commissioners.