

Decision No. 15244

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of LOS ANGELES RAILWAY CORPORATION
for authority to temporarily re-
locate its crossing of The Atchison,
Topeka and Santa Fe Railway Company
in Macy Street at Center Street,
City of Los Angeles, County of
Los Angeles.

Application No. 11498.

BY THE COMMISSION:

O R D E R

Los Angeles Railway Corporation, a corporation, filed the above-entitled application with this Commission on the 27th day of July, 1925, asking for authority to construct a temporary street railway track at grade across the main line track of The Atchison, Topeka and Santa Fe Railway Company, a corporation, within the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. It appears that said Los Angeles Railway Corporation now crosses the main track of The Atchison, Topeka and Santa Fe Railway Company in Macy Street, a short distance south of the crossing requested in this proceeding but because of the construction of a viaduct which will eventually carry Macy Street over the Los Angeles River and the adjacent railroad tracks, the existing crossing must be abandoned and the temporary crossing is necessary to operate cars during the period of construction. It also appears that The Atchison, Topeka and Santa Fe Railway Company has consented, in writing, to the construction of the proposed crossing of its track at grade; that it is not reasonable nor practicable to avoid a grade crossing with said track;

that this is not a case in which a public hearing is necessary 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 Los Angeles Railway Corporation to construct a temporary street railway track at grade across the main line track of The Atchison, Topeka and Santa Fe Railway Company at a point on or near the northerly line of Macy Street, in the City of Los Angeles, County of Los Angeles, State of California, as shown by the map, (Exhibit "A"), 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 shall be borne by applicant.

(2) All trains, motors, engines or cars of applicant shall stop before going upon or over said crossing, and shall not proceed thereover until it has been ascertained that it is safe so to do.

(3) Applicant shall within sixty (60) days of the date of this order file with the Commission a duly executed copy or copies of agreement or agreements with said The Atchison, Topeka and Santa Fe Railway Company, covering the terms of installation, operation and maintenance of said crossing.

(4) That human flagman shall be maintained at this crossing during the same hours that such flagman is now provided at the present crossing.

(5) The authorization herein granted for the installation of said crossing shall lapse and become void on December 31st, 1926, whereupon said crossing shall be abolished and said temporary track removed unless further time is granted by subsequent order.

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

(7) 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.

(8) 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 31st day of July, 1925.

H. H. Brundage

George D. Squires

Leon A. Whitely

Commissioners.