

Decision No. 15380

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of PACIFIC ELECTRIC RAILWAY COM-
PANY, a corporation, for permis-
sion to construct a spur track at
grade across Wilmington - San
Pedro Road in the City of Los
Angeles, California, at Wilmington.

Application No. 11531.

BY THE COMMISSION:

ORIGINAL

O P I N I O N

Pacific Electric Railway Company, a corporation, filed the above-entitled application with this Commission on the 3rd day of August, 1925, asking for authority to construct a spur track at grade across Wilmington - San Pedro Road in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 52334) has been granted by the City Council of said City for the construction of said crossing at grade. One of the conditions upon which the City granted this franchise is that an automatic flagman shall be installed for the protection of the crossing. Based upon the investigation and recommendation of the Commission's engineers, it appears that this is not a case in which conditions are suitable for the use of an automatic flagman, and it is therefore recommended that an automatic flagman be not installed for the protection of this crossing. Provision will be made in this order for the flagging of all railroad movements over the crossing by an employee of the Railway Company.

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 Wilmington-San Pedro Road, and that this application should be granted, subject to the conditions hereinafter specified.

O R D E R

THEREFORE, IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Pacific Electric Railway Company to construct a spur track at grade across Wilmington-San Pedro Road, in the City of Los Angeles, County of Los Angeles, State of California, as follows:

Beginning at a point in the southwesterly line of the 38-foot franchise right of way in Wilmington-San Pedro Road granted to Pacific Electric Railway Company by Ordinance No. 97 of the City of Wilmington, said point of beginning being distant southeasterly along said southwesterly line, 974.37 feet from the intersection of said southwesterly line with the easterly prolongation of the north line of Lot 12 of Tract No. 3192 as per map recorded on pages 91 to 94 in Book 44 of Maps, Los Angeles County Records; thence from said point of beginning, northwesterly along a curve concave southwesterly and having a radius of 284.13 feet (the radial line of said curve at said point of beginning having a bearing of South 49° 19' 45" West) a distance of 163.73 feet to a point in the northeasterly line of above mentioned Lot 12, said last mentioned point being distant southeasterly along said northeasterly line, 286.34 feet from the northeasterly corner of said Lot 12,

and as shown by the map (C.E.R. 8599) 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 substantially in accordance with Standard No. 3-B, as specified in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said road now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding two (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 thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) 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.

(5) No train, engine, motor or car shall be operated over said crossings unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee of applicant acting as flagman.

(6) No train, engine, motor or car shall be operated over said crossing between the hours of 6:30 and 8:30 A.M. and 4:00 and 6:00 P.M.

(7) The Commission reserves the right to make such further orders relative to the location, construction, operation,

