

Decision No. 15770.

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, main-
tain and operate a spur track upon
and across Second Street, at Vignes
Street, in the City of Los Angeles,
County of Los Angeles, State of
California.

ORIGINAL

Application No. 12,226.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 7th day of December, 1925, asking for authority to construct a spur track at grade across Second Street near Vignes Street in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 53,237) has been granted by the City Council of said City of Los Angeles for the construction of said crossing at grade. 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 Second Street 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 Second Street near Vignes Street, in the City of Los Angeles, County of Los Angeles, State of California, as follows:

Beginning at a point on the south line of Second Street distant 101.70 feet west along said south line from the southern prolongation of the west line of Vignes Street; thence northerly 60.41 feet on a curve concave to the west, having a radius of 398.94 feet, to the north line of Second Street, distant 108.33 feet west of the northwest corner of Second and Vignes Streets;

and as shown by the map (Div'n. Eng. Dwg. No. L-6-7916) 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. 4, as specified in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said Second Street now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding one (1) 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) No train, engine, motor or car shall be operated over said crossing 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 acting as flagman.

(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) Applicant shall not use the granting of this application either by way of defense or argument on the ground of capital expenditure or in any way against any order of this Commission heretofore or hereafter made providing for any railroad unification or terminal plans in the City of Los Angeles.

(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.

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

Dated at San Francisco, California, this 16th day of December, 1925.

H. P. Brandige
C. L. Leavy
George D. Squires

Commissioners.