

Decision No. 16260

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Pacific Electric Railway Company, a
corporation, for permission to con-
struct a spur track at grade across
and upon San Vicente Boulevard in
the City of Los Angeles, California.) Application No. 12525.

BY THE COMMISSION:

O R D E R

Pacific Electric Railway Company, a corporation, filed the above-entitled application with this Commission on the 13th day of February, 1926, asking for authority to construct a spur track at grade across San Vicente Boulevard, in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 53854) has been granted by the City Council of said City 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 San Vicente Boulevard 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 Pacific Electric Railway Company to construct a spur track at grade across San Vicente Boulevard, in the City

of Los Angeles, County of Los Angeles, State of California, as follows:

Beginning at a point in the easterly line of San Vicente Boulevard as shown on the map of tract No. 7617 recorded on pages 97 and 98 in Book 110 of Maps, Los Angeles County records, said point being distant northerly along said easterly line and its prolongation 176.52 feet from the center line of Third Street; thence northwesterly along a curve concave to the southwest and having a radius of 286.843 feet, a distance of 135.70 feet to a point in the westerly line of San Vicente Boulevard distant northerly along said westerly line and its prolongation 255.51 feet from the center line of Third Street;

and as shown by the map (C E H 9189) attached to the application; said crossing to be constructed subject to the following conditions, namely:

(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 equal or superior to type shown as Standard No. 2 in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding two (2) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Pacific Electric Railway Company and the owner of the industry for whose benefit this crossing is authorized shall, before actual construction of said crossing is undertaken, file with the Commission a stipulation containing provisions that, upon payment to them of a reasonable portion of the cost of constructing said crossing and track, permission will be granted by them to such other person, persons or corporation, as may desire to use said track, to build such additional track across such portions of said owner's land as may be reasonably

necessary in order to reach the property or business of such other person, persons or corporation, together with the right to operate cars over said track and said extension.

(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.

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

Dated at San Francisco, California, this 19th day of March, 1926.

H. B. Brundage
C. Leary
Frank Scott

Commissioners.