

ORIGINAL

Decision No. 16667.

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 four
railroad switch tracks across
Forty-ninth Street, in the City of
Vernon, County of Los Angeles,
State of California.

Application No. 12697.

BY THE COMMISSION.

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 1st day of April, 1926, asking for authority to construct four switch tracks at grade across Forty-ninth Street in the City of Vernon, County of Los Angeles, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 378) has been granted by the City Council of said City of Vernon for the construction of said crossings 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 grade separations, or to avoid grade crossings at the points mentioned in this application with said Forty-ninth 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 four switch tracks at grade across Forty-ninth Street, in the City of Vernon, County of Los Angeles, State of California, as follows:

Track "A" Beginning in the southern line of 49th Street 20.06 feet westerly, measured along said southern line from the western line of vacated Malabar Street thence northerly in a direct line 60.0 feet to a point in the northern line of 49th St., 19.78 feet westerly measured along said northern line from the western line of said Malabar Street.

Track "B" Beginning in the southern line of 49th Street 7.06 feet westerly, measured along said southern line from the western line of vacated Malabar Street thence northerly in a direct line 60.0 feet to a point on the northern line of 49th St., 6.78 feet westerly, measured along said northern line, from the western line of said Malabar Street.

Track "C" Beginning in the southern line of 49th Street 5.94 feet easterly, measured along said southern line from the western line of vacated Malabar Street thence northerly in a direct line 60.0 feet to a point in the northern line of 49th Street 6.22 feet easterly measured along said northern line from the western line of said Malabar Street.

Track "D" Beginning in the southern line of 49th Street 18.94 feet easterly, measured along said southern line from the western line of vacated Malabar Street thence northerly in a direct line 60.0 feet to a point on the northern line of 49th Street 19.22 feet easterly, measured along said northern line, from the western line of said Malabar Street;

and as shown by the map (Div'n. Eng. Dwg. No. L-6-5088 Rev. Jan. 2, 1924) attached to the application; said crossings to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossings together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed equal or superior to type shown as Standard No. 3, in General Order No. 72 of this Commission and of a width to conform to that portion of said Forty-ninth Street now graded, with the tops of rails at same elevation as main line rails and flush with the roadway, and with grades of ap-

proach not exceeding four (4) 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) An automatic flagman shall be installed for the protection of the main line track at said crossing at the sole expense of applicant, said automatic flagman to be of a type and installed in accordance with plans or data approved by the Commission. The maintenance of said flagman shall be borne by The Atchison, Topeka and Santa Fe Railway Company.

(4) When cars are stored on the main line track or spur track westerly thereof, or on any of the sidetracks involved in this proceeding, within a distance of one hundred (100) feet on either side of Forty-ninth Street, no train, engine, motor or car shall be operated over any of said sidetrack 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 employe acting as flagman.

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

(6) If said crossings 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.

(7) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper and to revoke its permission if, in its judgment, the public con-

venience and necessity demand such action.

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

Dated at San Francisco, California, this 6th day of May, 1926.

H. B. Brundage
C. S. ...
Ernest ...

Commissioners.