

Decision No. 17049.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of the City of Vernon, State of
California, for a permit to con-
struct and maintain a public street
at grade over and across the right
of way and tracks of The Atchison,
Topeka and Santa Fe Railway Company
at East Forty-eighth Street, in the
said City of Vernon.

Application No. 12939.

ORIGINAL

BY THE COMMISSION:

O R D E R

The City of Vernon, County of Los Angeles, State of California, filed the above entitled application with this Commission on the 12 day of June, 1926, asking for authority to construct a public street at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company in said city, as hereinafter set forth. Said Atchison, Topeka and Santa Fe Railway Company has signified that it has no objection to the construction of said crossing at grade as evidenced by deed attached to the application, 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 with said tracks at the points mentioned in this Application, 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 City of Vernon, County of Los Angeles, State of California, to construct Leonis Boulevard at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company as follows:

Beginning on the south line of said Lot 11, 1 foot west of the southeast corner thereof, said point being on The Atchison, Topeka and Santa Fe Railway Company's east right of way line; thence north along said right of way line, 13.76 feet; thence west at right angles 17 feet to the west line of said right of way; thence south 80 feet along said right of way line to a point in said Lot 12, the west right of way line being 18 feet west of and parallel to the east lines of said Lots 11 and 12; thence east at right angles 17 feet to the east line of said right of way; thence north along said east right of way line, 66.24 feet to point of beginning.

and as shown by the map (dated April 1926) attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of The Atchison, Topeka and Santa Fe Railway Company.

(2) The crossing shall be constructed of a width not less than fifty (50) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than two (2) per cent; shall be constructed substantially in accordance with Standard No. 3 as specified in General Order No. 72 of this Commission; shall be pro-

tected by a suitable crossing sign and shall in every way be made safe for the passage thereon 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) 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 2d day of July, 1926.

H. H. Brundage
C. C. Lewis
Ernest West

Commissioners.