

ORIGINAL

Decision No. 17829

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

_____)
 In the matter of the application of)
 the Los Angeles & Salt Lake Railroad)
 Company, a corporation, for authority)
 to construct, maintain and operate a)
 certain steam railroad track at grade)
 across Cherry Avenue in the City of)
 Long Beach, County of Los Angeles,)
 State of California.)
 _____)

Application No. 13337.

BY THE COMMISSION:

ORDER

Los Angeles and Salt Lake Railroad Company, a corporation, filed the above-entitled application with this Commission on the 24th day of November, 1926, asking for authority to construct a spur track at grade across Cherry Avenue in the City of Long Beach, County of Los Angeles, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. C-579) has been granted by the City Council of said City 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 Cherry Avenue 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 Los Angeles and Salt Lake Railroad Company to construct a spur track at grade across Cherry Avenue in the City of Long Beach, County of Los Angeles, State of California, at

the location hereinafter particularly described and as shown by the map (Drawing No. G-42) attached to the application.

Description of Crossing

Beginning at a point on the easterly line of Cherry Avenue, distant N. $0^{\circ} 12'$ W. 8.5 feet from the southwest corner of Lot 3, Block 21, California Co-Operative Colony Tract as per map recorded in Book 21, pages 15-16, Miscellaneous Records of Los Angeles County, California; thence S. $89^{\circ} 48'$ W. 60.0 feet, more or less, to a point on the westerly line of said Cherry Avenue, distant N. $0^{\circ} 12'$ W. 8.5 feet from the southeast corner of Lot 22, Block 22, said California Co-Operative Colony Tract.

The above crossing shall be identified as Crossing No. 3A-13.3-S.

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. 3, in General Order No. 72, of this Commission and shall be constructed of a width to conform to that portion of said avenue 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 in- 100

stallation 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 31st day of December, 1926.

H. B. ...

C. Seavey

Leon ...

Thos. ...

Commissioners.