

Santa Fe Railway; Center Street at grade; Rosecrans Avenue, Second Street and Longfellow Avenue under grade and Oak Avenue and Marine Avenue over grade. The Commission also granted permission to construct Pacific Avenue at grade across the tracks of the Santa Fe Railway, said crossing to be temporary, pending the construction of the overhead crossing at Marine Avenue, or in the event that Marine Avenue was not immediately constructed, such authority for a temporary crossing to expire in eighteen months. The cost of constructing each of these crossings was assessed to the City of Manhattan Beach.

Numerous extensions of time were asked for and granted to the City of Manhattan Beach in regard to the temporary crossing of Pacific Avenue, the last of which expired on April 30, 1925.

On April 21, 1921, the City of Manhattan Beach filed a supplemental application with this Commission, asking for a modification of the order in Decision No. 2,510, authorizing the City to construct a crossing at grade at Rosecrans Avenue across the tracks of the Santa Fe Railway instead of an under-grade crossing, as authorized in said decision. The Commission rendered its Decision No. 9,293, July 30, 1921, in said supplemental application, authorizing the City to construct a crossing at grade at this location.

On December 29, 1921, the City of Manhattan Beach filed an application (No. 7,442) with the Commission in which authority was asked to construct a crossing at grade in the vicinity of First Street across the tracks of the Santa Fe Railway. In Commission's Decision No. 10,235, rendered in this matter on April 17, 1922, the City was granted authority

to construct a temporary crossing in this vicinity. It was pointed out that when the undergrade crossing was constructed at Second Street, as previously authorized in its Decision No. 2510, there would be no necessity for the First Street crossing.

At the hearing on March 6th, 1928, witnesses for the City of Manhattan Beach testified that crossings of a permanent nature at Center Street and Rosecrans Avenue had been constructed and were being used by the public; that the temporary crossings at First Street and Pacific Avenue were constructed and open to traffic; but that the grade separations at Longfellow Avenue, Second Street, Marine Avenue and Oak Avenue had not been constructed and the City had no definite plans for their immediate construction in the future. It was further testified that grade crossings in the vicinity of Fifth Street, Twenty-seventh Street and El Camino Real are in existence and in use.

The record also shows that no apparent public necessity exists for the crossings at Fifth Street and Twenty-seventh Street, but that the crossing at El Camino Real has been in existence and used by the public for a long period and is a heavily travelled and necessary crossing. It was also stated that there is a public necessity for the temporary crossing at Pacific Avenue, as the grade separation at Marine Avenue has not yet been constructed.

It appears from the record in this proceeding that public convenience and necessity require the construction of grade crossings at El Camino Real and at Pacific Avenue and, furthermore, that the grade crossings in the vicinity of Fifth Street and Twenty-seventh Street should be removed and abandoned.

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From the record in this proceeding, it appears that grade separations at Longfellow Avenue, Second Street, Marine Avenue and Oak Avenue are not justified and that there are no definite plans for their immediate construction; therefore, the Commission's Order in Decision No. 2510, in so far as it concerns such crossings, should be revoked.

O R D E R

The above entitled application having been opened for further hearing and determination, a hearing having been held in the City of Manhattan Beach on the sixth day of March-1928, the Commission being apprised of the facts, the matter being duly submitted and now ready for decision, therefore,

IT IS HEREBY ORDERED that Decision No. 2510, in so far as it refers to the construction of Second Street and Longfellow Avenue beneath the track, Oak Avenue and Marine Avenue above the track and the temporary grade crossing at Pacific Avenue across the track of The Atchison, Topeka and Santa Fe Railway Company, be and it is hereby revoked.

IT IS HEREBY FURTHER ORDERED that permission and authority be and it is hereby granted to the City of Manhattan Beach, County of Los Angeles, State of California, to construct Pacific Avenue and El Camino Real at grade across the track of The Atchison, Topeka and Santa Fe Railway Company, at the locations hereinafter particularly described and as shown by the maps (Exhibit "F" and Exhibit "C") filed with the application.

Description of Crossings.

Pacific Avenue.

Beginning at the point of intersection of the produced easterly line of Pacific Avenue as per map of Tract No. 1,638, Sheet No. 1, as recorded in Map

Book 21, pages 46 and 47, Records of Los Angeles County, California, with the northerly right of way line of The Atchison, Topeka and Santa Fe Railway Company; thence easterly along the said northerly right of way line 10.90 feet; thence S. 15° 15' E. 100 feet to a point in the southerly right of way line of The Atchison, Topeka and Santa Fe Railway Company; thence westerly along the said southerly right of way line 40 feet; thence north 15° 15' west 100 feet to a point in the northerly right of way line of The Atchison, Topeka and Santa Fe Railway Company; thence easterly along the said northerly right of way line 29.10 feet to the point of beginning.

The above crossing shall be identified as Crossing No. 2W-15.7.

El Camino Real.

Beginning at the intersection of the easterly line of El Camino Real with the southeasterly line of The Atchison, Topeka and Santa Fe Railway Company's right of way; thence southwesterly along said southeasterly right of way line to its intersection with the westerly line of El Camino Real; thence northerly along said westerly line of El Camino Real to its intersection with the northwesterly line of The Atchison, Topeka and Santa Fe Railway Company's right of way; thence northeasterly along said northwesterly right of way line to its intersection with the easterly line of El Camino Real; thence southerly along said easterly line of El Camino Real to the point of beginning.

The above crossing shall be identified as Crossing No. 2W-16.2.

Said crossings shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossings shall be borne by applicant. The cost of maintenance of those portions of said crossings up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of the crossings 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 crossings shall be assessed by applicant, in any manner whatsoever, to the operative property of The Atchison, Topeka and Santa Fe Railway Company.

(2) The crossings shall be constructed of a width not less than twenty-five (25) feet, with grades of approach not greater than four (4) per cent; shall be constructed substantially in accordance with Standard No. 3, as specified in General Order No. 72 of this Commission; shall be protected by crossings signs in accordance with Standard No. 1, as specified in General Order No. 75 of this Commission, and shall in every way be made suitable 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 crossings.

(4) 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.

(5) 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 convenience and necessity demand such action.

(6) In all other respects, this Commission's orders heretofore entered in the above entitled proceeding shall

remain in full force and effect.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 9th day of May, 1928.

Leon W. Hall

Chairman

Frank J. ...

David ...

M. A. ...

Commissioners.