

ERM:IR

Decision No. 13940

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
LOS ANGELES & SALT LAKE RAILROAD COM-
PANY, a corporation, for authority to
construct, maintain and operate certain
steam railroad tracks, at grade, over
Vail Avenue, Maple Avenue and Greenwood
Avenue, in the City of Montebello,
State of California.

Application No. 14689.

BY THE COMMISSION:

O R D E R

ORIGINAL

Los Angeles and Salt Lake Railroad Company, a corporation, filed the above entitled application with this Commission on the 14th day of May, 1928, asking for authority to construct side and spur tracks at grade across Vail Avenue, Maple Avenue and Greenwood Avenue in the City of Montebello, County of Los Angeles, State of California, as hereinafter set forth. A franchise (Ordinance 165) has been granted by the City Council of said City for the construction of said crossings at grade. The Commission's Engineering Department, after investigation, reports that it appears practical to eliminate the proposed spur track crossing at Greenwood Avenue. Applicant, by letter dated June 15th, advises that it concurs with the reports of the Commission's Engineers with respect to eliminating this spur track crossing. 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 Vail Avenue, Maple Avenue and Greenwood Avenue, except as above noted, and that this application should accordingly 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 & Salt Lake Railroad Company to construct side and spur tracks at grade across Vail Avenue, Maple Avenue and Greenwood Avenue in the City of Montebello, County of Los Angeles, State of California, at the locations hereinafter particularly described and as shown by the maps (Exhibits "A" and "B") attached to the application.

DESCRIPTION OF CROSSINGS

Vail Avenue - Track "A":

Beginning at a point on the southeasterly line of Vail Avenue, distant N. $26^{\circ} 22'$ E. 108.95 feet from the southwesterly corner of Lot 19, El Carmel Tract, as per map recorded in Book 7, pages 134-135 of Maps, records of Los Angeles County, California; thence N. $83^{\circ} 49'$ W. 63.92 feet, more or less, to a point on the northwesterly line of said Vail Avenue.

The above crossing shall be identified as a portion of Crossing No. 3-7.8.

Vail Avenue - Track "B":

Beginning at a point on the southeasterly line of Vail Avenue distant N. $26^{\circ} 22'$ E. 99.6 feet from the southwesterly corner of said Lot 19, El Carmel Tract; thence southwesterly, along a curve concave southerly and having a radius of 573.69 feet, a distance of 71.3 feet, more or less, to a point on the northwesterly line of said Vail Avenue.

The above crossing shall be identified as a portion of Crossing No. 3-7.8.

Maple Avenue - Track "A":

Beginning at a point on the northwesterly line of Maple Avenue, distant S. $14^{\circ} 31'$ W. 247.99 feet from the southeasterly corner of Lot 36, Tract No. 5442 as per map recorded in Book 98, page 47, of Maps, records of said County; thence S. $83^{\circ} 49'$ E. 60.64 feet, more or less, to a point on the southeasterly line of said Maple Avenue.

The above crossing shall be identified as a portion of Crossing No. 3-8.0.

Greenwood Avenue - Track "A":

Commencing at the southeasterly corner of Lot 27, Resub of a portion of Montebello as per map recorded in Book 3, page 27, of Maps, records of said County; thence N. $83^{\circ} 49'$ W. 141.47; thence S. $15^{\circ} 44' 33''$ E. 67.90 feet to the true point of beginning being on the northeasterly line of said Greenwood Avenue; thence N. $83^{\circ} 49'$ W. 53.89 feet, more or less, to a point on the southwesterly line of said Greenwood Avenue.

The above crossing shall be identified as a portion of Crossing No. 3-8.3.

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. 2, in General Order No. 72 of this Commission, and shall be constructed without superelevation, with respect to track B, Crossing No. 3-7.8, and of a width to conform to those portions of said streets now graded, with the tops of rails at same elevation as main line rails and flush with the pavement, and with grades of approach not exceeding three (3) per cent; shall be protected by Standard No. 1 crossing signs as specified in General Order No. 75 of this Commission, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) No train, motor, engine or car shall be stored or spotted on these tracks within one hundred (100) feet of either property line of said Vail Avenue, Maple Avenue or Greenwood Avenue, unless said crossings are protected by a member of train crew or other competent employee acting as flagman.

(4) Applicant shall remove the tracks shown in black on the map (Exhibit "A") attached to the application, insofar as they lie in Vail Avenue and Greenwood Avenue, and shall repair the streets to conform to the remainder thereof.

(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 convenience and necessity demand such action.

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

Dated at San Francisco, California, this 26th day of June, 1928.

Leon Whipple
Chairman

David L. Lewis

M. J. Ryan

Commissioners.