

Decision No. 20300

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of SOUTHERN
PACIFIC COMPANY for an order authorizing
the construction at grade of a spur track
across East 5th Street and across Colyton
Street, in the City of Los Angeles, County
of Los Angeles, State of California.)

) Application No. 15051.

BY THE COMMISSION:

O R D E R

ORIGINAL

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 15th day of September, 1928, asking for authority to construct a spur track at grade across East 5th Street and across Colyton Street in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 61,688) 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 East 5th Street and across Colyton 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 Southern Pacific Company to construct its spur track at grade across East 5th Street and across Colyton Street in the City of Los Angeles, County of Los Angeles, State of California, at the location hereinafter particularly described and as shown by the map (S-4427) attached to the application.

DESCRIPTION OF CROSSING.

Beginning at a point in the center line of the southerly spur track as constructed in said street, said point of beginning being distant 173 feet, more or less, easterly thereon from the northerly prolongation of the easterly line of Seaton Street, thence easterly parallel with and 10.5 feet northerly, at right angles, from the southerly line of East Fifth Street, a distance of 120 feet, more or less; thence northeasterly, along a 19 degree curve to the left a distance of 91 feet, more or less; thence northeasterly tangent to the last described curve, a distance of 40 feet, more or less; thence northeasterly along a 19 degree curve to the right a distance of 91 feet, more or less; thence easterly tangent to the last described curve, parallel with and 10 feet southerly, at right angles, from the northerly line of East Fifth Street, a distance of 120 feet, more or less, to the end of proposed track;

The above crossing shall be identified as a portion of Crossing No. BG-483,489-C.

Said crossing to be constructed subject to the following conditions, and not otherwise:

(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. 2, in General Order No. 72 of this Commission and shall be constructed without super-elevation and of a width to conform to those portions of said streets now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding four (4) per cent; shall be protected by a Standard No. 1 crossing sign as specified in General Order No. 75 of this Commission and shall in every way be made suitable for the passage thereover 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) Applicant shall not use the granting of this application either by way of defense or argument on the ground of capital expenditure or in any way against any order of this Commission heretofore or hereafter made providing for any railroad unification or terminal plans in the City of Los Angeles.

(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 3rd day of October, 1928.

C. Seaver

John S. Smith

M. J. Lee
COMMISSIONERS.