

ORIGINAL

Decision No. 20362.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
PACIFIC ELECTRIC RAILWAY COMPANY, a
corporation, for authority to re-
locate its tracks across and upon
certain streets at grade on Cypress
Street, Palm Avenue and Syracuse Ave-
nue in the City of Orange, County of
Orange, State of California.

Application No. 15138.

BY THE COMMISSION:

O R D E R

Pacific Electric Railway Company, a corporation, filed the above entitled application with this Commission on the 19th day of October, 1928, asking for authority to relocate certain tracks at grade across Cypress Street, Palm Avenue and Syracuse Avenue, in the City of Orange, County of Orange, State of California, as hereinafter set forth. A temporary permit has been granted by the Board of Trustees of said City for the relocation of said crossings 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 grade separations or to avoid grade crossings at the points mentioned in this application with said streets 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 Pacific Electric Railway Company to relocate certain tracks at grade across Cypress Street, Palm Avenue and Syracuse Avenue in the City of Orange,

County of Orange, State of California, at the locations herein-
after particularly described and as shown by the map (C.E.H. 11421)
attached to the application.

Description of Crossings

Commencing at a point in a line which is parallel to and 30 feet distant easterly from the westerly line of Cypress Street, said point being distant southerly along said parallel line 294 feet from the center line of Palm Avenue; thence northerly along said parallel line 210.78 feet to the beginning of a tangent curve concave to the west and having a radius of 286.84 feet; thence northerly along said curve 31.12 feet; thence north $6^{\circ} 13'$ West, 240.06 feet to the beginning of a tangent curve concave to the east and having a radius of 286.84 feet; thence northerly along last mentioned curve 32.12 feet to the end of said curve.

Also, commencing at a point in the northerly line of Palm Avenue, distant westerly thereon 89.40 feet from the westerly line of Cypress Street; thence southerly along a curve concave to the east and having a radius of 235 feet, a distance of 32.33 feet to a point in the track constructed under franchise granted by Ordinance No. 47-A (Series 1921) of the City of Orange, said last mentioned point being distant northerly along said track 33.77 feet from the southerly line of Palm Avenue.

The above crossings shall be identified as a portion of Crossing No. 6NA-3.53.

Commencing at a point in the southerly line of Sycamore Avenue distant westerly thereon 28.15 feet from the westerly line of Cypress Street; thence continuing along curve concave to the southwest 37.52 feet; thence North $38^{\circ} 12'$ west, 36.88 feet to a point in the northerly line of Sycamore Avenue distant westerly thereon 70.36 feet from the westerly line of Cypress Street.

Also, commencing at a point in the northerly line of Sycamore Avenue distant westerly thereon 89.51 feet from the westerly line of Cypress Street; thence south $38^{\circ} 12'$ east, 37.93 feet to the beginning of a curve concave to the southwest and having a radius of 235 feet; thence southeasterly along last mentioned curve 36.59 feet to a point in the southerly line of Sycamore Avenue distant westerly thereon 47.10 feet from the westerly line of Cypress Street.

The above crossings shall be identified as a portion of Crossing No. 6NA-3.66.

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 and of a width to conform to those portions of said streets now graded, with the tops of rails flush with the roadway, 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) All tracks shown in yellow on drawing No. C.E.H. 11421 in so far as they lie within Cypress Street (Crossing No. 6NA-3.49), Palm Avenue (Crossing No. 6NA-3.53) and Sycamore Avenue (Crossing No. 6NA-3.66) shall be removed and the streets restored to conform to the remainder thereof. Said crossing No. 6NA-3.49 shall be abolished and cancelled upon the completion of the above track removal.

(4) Certified copy of franchise or permit granted by the City of Orange for the relocation of tracks herein authorized shall be filed with the Commission within ninety (90) days from the date hereof.

(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 23rd day of October, 1928.

Leon Whittell
D. P. Leary
Ernest J. ...

(Commissioners)