

Decision No. 20906.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of the COUNTY OF LOS ANGELES for
Order authorizing a Grade Crossing
over the Union Pacific Railroad
Company's Right of Way on Fire-
stone Boulevard.

Application No. 15424.

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Los Angeles, State of California, filed the above entitled application with this Commission on the 21st day of February, 1929, asking for authority to construct a public street, known as Firestone Boulevard, at grade across the track of Los Angeles and Salt Lake Railroad Company, in the City of Southgate as hereinafter set forth. The City of Southgate by supplemental application joined with the County of Los Angeles in this proceeding. Said Los Angeles and Salt Lake Railroad Company has signified by letter that it has no objection to the construction of said crossing at grade provided that when a separation of grades at this crossing is required, which will probably be upon the completion of the improvement of Firestone Boulevard, the division of cost of same be made on the same basis as would obtain if the grade crossing, if authorized, did not exist. Inasmuch as this grade crossing will be temporary, pending the completion of the improvement on Firestone Boulevard, the Commission is of the opinion that, in this particular case,

the railroad should not be required, when the separation of grades is necessary, to bear any more responsibility for the division of costs than would obtain if the grade separation were ordered at this time. 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 with said track at the point mentioned in this application, 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 the Board of Supervisors of the County of Los Angeles, and to the City Council of the City of Southgate, County of Los Angeles, State of California, to construct Firestone Boulevard at grade across the track of Los Angeles and Salt Lake Railroad Company at the location hereinafter particularly described and as shown by the map (Exhibit "A") attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the curve in the southwesterly line of said right of way, which point is northwesterly along said curve 261.17 feet from the southeasterly corner of said tract; a radial line of said curve to said point of beginning having a bearing of S.49°53'29" W; thence N. 80°55'03" E. 92.95 feet to the northeasterly line of aforementioned right of way; thence northwesterly along said last mentioned line 140.42 feet; thence S.80°55'03" W. 53.96 feet to the beginning of a curve concave to the north, tangent to said last mentioned course, and having a radius of 340 feet; thence westerly along said last mentioned curve 42.97 feet to above mentioned southwesterly right of way line; thence southeasterly along said last mentioned line 144.74 feet to the point of beginning.

The above crossing shall be identified as Crossing

No. 3A-7.8.

Said crossing shall be constructed subject to the follow-

ing conditions and not otherwise:

(1) The entire expense of constructing the crossing shall be borne by applicants. The cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the rails shall be borne by applicants. The maintenance of that portion of the crossing between lines two (2) feet outside of the rails shall be borne by Los Angeles and Salt Lake Railroad Company. The actual work of constructing that portion of the crossing between lines two (2) feet outside of the rails shall be performed by Los Angeles and Salt Lake Railroad Company.

(2) The crossing shall be constructed of a width not less than forty (40) feet and at an angle of approximately fifty-eight (58) degrees to the railroad and with grades of approach not greater than four (4) per cent; shall be constructed substantially in accordance with Standard No. 2 as specified in General Order No. 72 of this Commission; 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 thereon of vehicles and other road traffic.

(3) A Standard No. 3 wig-wag, as specified in General Order No. 75 of this Commission, shall be installed and maintained for the protection of said Crossing No. 3A-7.8. The entire cost of installation shall be borne by applicants. The cost of maintenance shall be borne by Los Angeles & Salt Lake Railroad Company.

(4) Applicants shall neither use the granting herein of a crossing at grade with the track of the Los Angeles and Salt Lake Railroad Company, nor any capital expenditure incurred in the construction of same, as defense or argument against any order of

this Commission providing for a grade separation at said crossing nor against the apportionment of cost of a grade separation based on the assumption that the grade crossing authorized herein did not exist.

(5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(6) 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.

(7) 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 20th day of March, 1929.

David L. Smith

W. C. Sawyer
Ernest L. Smith

Leon Whitwell

M. J. Carr
Commissioners.