

Decision No. 21067

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application
of Los Angeles & Salt Lake Rail-
road Company, a corporation, for
authority to construct, maintain
and operate a certain passing
track at grade, over, upon and
across Tenth Avenue, at Hillgrove,
in the County of Los Angeles,
State of California.

ORIGINAL

Application No. 15534

BY THE COMMISSION:

ORDER

Los Angeles & Salt Lake Railroad Company, a corporation, filed the above entitled application with this Commission on the 5th day of April, 1929, asking for authority to construct a passing track at grade across Tenth Avenue in the vicinity of Hillgrove Station, County of Los Angeles, State of California, as hereinafter set forth. Applicant alleges that a franchise is not necessary because the right to construct tracks across Tenth Avenue was retained when applicant granted an easement to County of Los Angeles for the construction of Tenth Avenue across their right-of-way and track. 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 Tenth Avenue 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 Los Angeles & Salt Lake Railroad Company

to construct a passing track at grade across Tenth Avenue in the vicinity of Hillgrove Station, County of Los Angeles, State of California, at the location hereinafter particularly described and as shown by the map and profile (Exhibit A & B) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point on the northwesterly line of Tenth Avenue distant N.39°32' E. 70.93 feet from the intersection of said northwesterly line with the southeasterly prolongation of the northeasterly line of Lot 2, Tract No.1953, as per map recorded in Book 22, pages 158-159 of Maps, records of Los Angeles County, California; thence S.63°53' E.61.68 feet, more or less, to a point on the southeasterly line of said Tenth Avenue, distant N. 39°32' E.70.93 feet from the intersection of said southeasterly line with the northwesterly prolongation of the northeasterly line of Lot 1, Tract No.2768 as per map recorded in Book 31, Pages 35-36 of Maps, Records of said County.

The above crossing shall be identified as a portion of Crossing No.3-17.2.

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.3, in General Order No.72 of this Commission and shall be constructed of a width to conform to that portion of said avenue 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 four (4) per cent; shall be protected by a Standard No.1 crossing sign as specified in General Or-

der 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) 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 10 day of May, 1929.

David L. Smith
C. J. Loney
James L. Loney
Leon A. Whittell

Commissioners.