

Decision No. 91219

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the
CITY OF LONG BEACH, a municipal corpor-
ation, for the construction of a crossing
of the right of way of the Pacific Electric
Railway Company by Eleventh Street, a
public street, in the City of Long Beach,
County of Los Angeles, State of California.

ORIGINAL

Application No. 15462

John K. Hull and Beach Basey, for Applicant,
C. W. Cornell, for Pacific Electric Railway Company,
interested party.

BY THE COMMISSION -

O P I N I O N

The City of Long Beach, a municipal corporation, has petitioned the Railroad Commission for an order permitting the construction of Eleventh Street at grade across the so-called Newport-Balboa Line of the Pacific Electric Railway Company in the said City of Long Beach, County of Los Angeles.

A public hearing on this application was held before Examiner Handford at Long Beach on May 22, 1929, at which time the matter was duly submitted and is now ready for decision.

At this hearing the City of Long Beach amended its application so as to include the construction of Newport Avenue at grade across said tracks and further amended the application requesting that the crossing be protected by an automatic flag, which amendments were agreeable to the Pacific Electric Railway Company.

The Pacific Electric Railway Company's Balboa-Newport Line tracks extend in a northeast and southwest direction in the vicinity of the proposed crossing. Eleventh Street extends in an east and west direction while Newport Avenue extends in a north and south direction, said streets intersecting at the tracks of Pacific Electric Railway Company.

Eleventh Street, at the present time, is an improved street from Junipero Avenue, which is a north and south street and approximately thirty-five hundred feet west of the proposed crossing, and Loma Avenue, which is a north and south street and approximately seven hundred feet east of the proposed crossing and will be opened and improved to Kimeno Avenue, a main thoroughfare running north and south and approximately three thousand feet east of the proposed crossing, proceedings for such improvement having been commenced by the City of Long Beach.

Eleventh Street is strategically and geographically located in such a manner as to make it the logical by-pass or relief artery for Anaheim Street, which is a major traffic artery running east and west across Los Angeles and Orange Counties through the City of Long Beach and one block north of Eleventh Street. Anaheim Street, from Junipero Street to Kimeno Avenue, traverses a congested business district known as East Long Beach so the construction of Eleventh Street as a through artery will relieve the congestion on Anaheim Street in this locality.

Counsel for Pacific Electric Railway Company stated that his company would have no objection to the construction of the proposed crossing provided that the City of Long Beach would bear the entire expense of constructing same and further that the crossing be not established unless Eleventh Street is improved between St. Louis Avenue and Kimeno Avenue. The City of Long Beach was agreeable to the provisions requested by the Railway Company.

After due consideration of all the evidence presented herein, we conclude that the establishment of the proposed crossing is necessary to make Eleventh Street a relief artery to Anaheim Street and that public convenience and necessity require the granting of this application.

O R D E R

A public hearing having been held on the above entitled application, the matter having been duly submitted, and the Commission being now fully advised,

IT IS HEREBY ORDERED that permission and authority be and the same is hereby granted to the City of Long Beach, County of Los Angeles, to construct Eleventh Street and Newport Avenue at grade across the tracks of Pacific Electric Railway Company at the location hereinafter particularly described and as shown by the map (Exhibit 'A') attached to the amended application.

DESCRIPTION OF CROSSING

Beginning at the intersection of the north line of Eleventh Street with the southwesterly line of the Pacific Electric Railway Company's private right of way; thence east along the prolongation east of the north line of Eleventh Street to the prolongation south of the west line of Newport Avenue; thence north along said prolongation south of the west line of Newport Avenue to the northeasterly line of the Pacific Electric Railway Company's private right of way; thence southeasterly along said northeasterly line of said private right of way to the south line of Eleventh Street; thence west along the prolongation west of the south line of Eleventh Street to the prolongation north of the east line of Newport Avenue; thence south along said prolongation north of the east line of Newport Avenue to the southwesterly line of the Pacific Electric Railway Company's private right of way; and thence northwesterly along said southwesterly line of said private right of way to the point of beginning.

The above crossing shall be identified as Crossing No. 6E-20.26.

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

- 1- Before this crossing may be opened to public use and travel the work of improving Eleventh Street from St. Louis Avenue to Kimeno Street shall have been completed.
- 2- The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion

of the crossing between lines two (2) feet outside of the outside rails shall be borne by Pacific Electric Railway Company.

(3) The crossing shall be constructed of a width not less than thirty-six (36) feet and at an angle of approximately thirty (30) degrees to the railroad and with grades of approach not greater than two (2) percent; shall be constructed substantially in accordance with Standard No.4 as specified in General Order No.72 of this Commission; shall be protected by three Standard No.1 crossing signs 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.

(4) A Standard No.3 wigwag as specified in General Order No.75 of this Commission shall be installed and maintained for the protection of said crossing. The cost of installation shall be borne by the applicant. The cost of maintenance shall be borne by Pacific Electric Railway Company.

(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 17th day of June, 1929.

Thomas G. Sullivan
Secretary
Leon A. White
Commissioner