

Decision No. 21772.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of The Atchison, Topeka and Santa Fe Railway Company, a corporation, for authority to construct a spur track at grade over, along and across Naomi Avenue, in the City of Los Angeles, County of Los Angeles, State of California.

Application No. 16039.

BY THE COMMISSION:

O R D E R

ORIGINAL

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 24th day of October, 1929, asking for authority to construct a spur track at grade across Naomi Avenue in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 64,877) 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 Naomi 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 The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across

Naomi Avenue 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 (Div'n. Engr. Draw. No. L 4-10550) attached to the application.

Description of Crossing

Beginning at a point in the eastern line of Naomi Avenue distant 144.78 feet southerly thereon from the south line of 58th Street; thence northwesterly 15.20 feet on a curve concave to the north, having a radius of 603.805 feet, the tangent to said curve at said point of beginning makes an angle of 100 degrees 58 minutes to the northeast with the eastern line of Naomi Avenue; thence northwesterly on a tangent 12.65 feet; thence northwesterly 33.40 feet on a tangent curve concave to the south, having a radius of 603.805 feet to a point in the western line of said Naomi Avenue, distant 132.69 feet southerly thereon from the south line of 58th Street.

The above crossing shall be identified as a portion of Crossing No. 2W-3.37-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 of a width to conform to that portion of said avenue now graded, with the tops of rails flush with the pavement as shown by the plan attached to the application and with grades of approach not exceeding two (2) 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) 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 7<sup>th</sup> day of November, 1929.

Thomas J. Lovitt  
W. J. Scully  
Ernest J. [unclear]  
[unclear]  
[unclear]  
Commissioners.