

Decision No. 21840

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the City of Santa Ana, a municipal corporation, for an order authorizing the widening and opening by condemnation of public streets across the Southern Pacific Railroad at Flower Street and Broadway, respectively, in said City of Santa Ana.

ORIGINAL

Application No.16022

Chas. D. Swanner, City Attorney for the Applicant.
Frank Karr and R.E. Wedekind, by R.E. Wedekind for
Southern Pacific Company.

WHITSELL, COMMISSIONER:

OPINION

The City Council of the City of Santa Ana filed the above entitled application with this Commission, requesting authority to widen Flower Street and to construct a public street known as Broadway at grade across the track of Southern Pacific Company in said city.

A public hearing on this matter was held in Santa Ana on November 8, 1929, the matter having been submitted is now ready for decision.

Southern Pacific Company's Santa Ana Branch, a single track line, extends in a northwesterly and southeasterly direction through the City of Santa Ana and carries a traffic of four to six movements daily.

Flower Street, extending in a north and south direction is at the present time constructed across said track at grade with a roadway thirty (30) feet in width and is protected by a Standard

No.3 wigwag. In this proceeding authority is asked to widen this crossing to a width of fifty-six (56) feet.

Broadway, extending in a north and south direction is now constructed southerly from the railroad company's south right-of-way line and if extended, would intersect said railroad track at a point approximately 1600 feet southeast of the Flower Street crossing.

The City of Santa Ana proposes to construct a street, to be known as Santa Ana Boulevard, along the northeasterly side of Southern Pacific Company's right-of-way between Main Street and Anaheim Boulevard, a distance of approximately 2500 feet intersecting both Flower Street and Broadway if extended.

The construction of this street and the opening of Broadway and the widening of Flower Street across said track will enable traffic from Anaheim Boulevard, which is a major traffic artery, to proceed over Santa Ana Boulevard, thence crossing the Southern Pacific track at either Flower Street or Broadway for a direct route into the business district of Santa Ana thereby relieving the heavy traffic on Main Street.

Southern Pacific Company offered no objection to either the widening of Flower Street or the opening of Broadway at grade across the track.

The City of Santa Ana has tentatively agreed with Southern Pacific Company relative to apportionment of cost of constructing the Broadway crossing and the widening of the Flower Street crossing, and requested that the Commission apportion the costs for same in accordance with an agreement to be entered into by the interested parties and to be filed with the Commission, for its approval, at a later date.

In addition to the branch line track, a house track is constructed across Flower Street, however, a witness for Southern Pacific Company, testified that the easterly switch of this track was to

be moved west of the crossing so that thereafter the house track would not cross Flower Street. At Broadway crossing, there exists only one track (main line).

After considering the evidence in this proceeding, I am of the opinion that public convenience and necessity will be subserved by the widening of Flower Street and the construction of Broadway at grade across the Santa Ana Branch of Southern Pacific Company and that the application should be granted.

I recommend the following form of order:

ORDER

An application having been filed with this Commission, a public hearing having been held, the Commission being fully advised,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to the City Council of the City of Santa Ana, County of Orange, State of California, to widen and improve Flower Street and to construct Broadway at grade across the track of Southern Pacific Company at the locations particularly described in the application and as shown by the maps attached to the application.

The above crossings shall be identified as follows:

Flower Street	Crossing No.BK-514.4
Broadway	Crossing No.BK-515.3

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

(1) The entire expense of constructing and maintaining the crossings, together with the protection at the respective crossings shall be borne in accordance with an agreement to be hereinafter entered into by the interested parties, a certified copy of which shall be filed with this Commission, subject to its approval, within two hundred (200) days from the date hereof. In the event the interested parties are unable to reach such an agreement or in the event

such agreement is not satisfactory to this Commission, the costs shall be apportioned by supplemental order herein.

(2) The crossings shall be constructed of a width not less than fifty (50) feet and at an angle of about forty (40) degrees to the railroad and with grades of approach not greater than five (5) per cent; shall be constructed substantially in accordance with Standard No.3 as specified in General Order No.72 of this Commission; 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 suitable for the passage thereon of vehicles and other road traffic.

(3) A Standard No.3 wigwag as specified in General Order No.75 of this Commission shall be installed and maintained for the protection of Crossing No.BK-515.B.

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

(5) 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.

(6) 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.

The foregoing opinion and order are hereby ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 29th day of November, 1929.

Thos D. Howell

C. P. Seavey

Emmett C. ...

Leon ...

W. J. ...
Commissioners.