

Decision No. 22607**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construction
at grade of a drill track
across Fletcher Drive near Industrial
Station, in the City of Los Angeles,
County of Los Angeles, State of
California.

Application No. 16567.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 23rd day of May, 1930, asking for authority to construct a drill track at grade across Fletcher Drive in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. The indenture, made on January 26, 1926, between Southern Pacific Company, Southern Pacific Railroad Company and the City of Los Angeles, a certified copy of which is attached to the application, retains unto the Railroad Company the right to construct railroad tracks across Fletcher Drive at the location proposed herein. It appears to this Commission that this application should be granted subject to the conditions hereinafter specified, and with the understanding that the granting of the same will not be used in any way as an argument or evidence to oppose the separation of grades at this point or any apportionment of cost of the same that may be prescribed by the Commission.

IT IS HEREBY ORDERED that permission and authority be, and it is, hereby granted to Southern Pacific Company to construct a drill track at grade across Fletcher Drive 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 (L.A.Div.Drwg. No. B-438) attached to the application.

Description of Crossing

Beginning at a point in the northwesterly line of Fletcher Drive (80 ft. wide) produced across the right of way 100 ft. wide) of the Southern Pacific Railroad Company, said point is distant southwesterly 11 feet, at right angles from the northeasterly line of said 100 ft. right of way; thence southeasterly parallel with said northeasterly right of way line a distance of 60 ft. more or less to a point in the southeasterly line of said Fletcher Drive.

The above crossing shall be identified as a portion of Crossing No. B-478.1.

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 street now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding three (3) per cent, and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

(3) The Standard No. 4 wigwags, installed for the protection of this crossing should remain in their present position. No train, engine, motor or car shall be operated on said drill track over said

crossing, unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

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

(5) 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.

(6) 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 30th day of June, 1930.

P. L. Seaver

John S. Linton

M. A. Pugh

Commissioners