

Decision No. 22943

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, maintain and
 operate a fifty foot extension to
 Track No. 19 and to rearrange Track
 No. 23 in Banning Street, in the City
 of Los Angeles, County of Los Angeles,
 State of California.

ORIGINAL

APPLICATION NO. 16920.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 30th day of September, 1930, asking for authority to relocate its track No. 23 and to extend its spur track No. 19 in and along a portion of Banning Street in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 67,797) has been granted by the City Council of said City, for the relocation and extension of said tracks. 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 points mentioned in this application with said Banning Street, 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 relocate its track No. 23 and extend its spur track No.

19 in and along a portion of Banning Street in the City of Los Angeles, County of Los Angeles, State of California, at the locations more particularly described in the application and as shown by the map (Div. Engrs. Drwg. No. L-5-11100) attached to the application.

The relocation of said crossing shall be constructed subject to the following conditions, and not otherwise:

(1) The entire expense of relocating 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. 4, 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 two (2) per cent, and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

(3) Nothing in this order shall be construed as an authorization by this Commission for the construction or relocation of tracks in such a manner as will be contrary to any of the provisions of General Order No. 26-C of this Commission.

(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 7th day of October, 1930.

C. J. [unclear]
[unclear]
Leon [unclear]
[unclear]

Commissioners