

Decision No. 23238.**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
 PACIFIC ELECTRIC RAILWAY COMPANY, a
 corporation, to sell real property to
 the City of Beverly Hills and to relo-
 cate certain facilities thereon.

Application No. 17053.

BY THE COMMISSION:

ORDER

Pacific Electric Railway Company, a corporation, on December 12, 1930, filed the above entitled application, requesting authority to sell a parcel of land in the City of Beverly Hills, County of Los Angeles; to relocate and reconstruct certain station facilities and tracks in the vicinity of the parcel that it is proposed to sell; to relocate a crossing of a spur track with Third Street between Alpine Drive and Foothill Road; and, to construct a spur track across the northwest corner of Alpine Drive and Santa Monica Boulevard. It appearing that a public hearing is not necessary herein and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED that Pacific Electric Railway Company is hereby authorized to sell to the City of Beverly Hills, in accordance with the terms of an agreement dated November 5, 1930, a copy of which is attached to the application, those certain parcels of property described therein and as shown by the map, CE 9233-a, attached to the application, subject to the following conditions:

- (1) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the property transfer herein authorized and of its compliance with the conditions hereof.
- (2) The authorization herein granted shall not be construed as a determination of the value of the property for any purpose other than the transfer herein authorized.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company is hereby authorized to relocate and reconstruct certain station facilities and tracks as described in the application and as shown on the above mentioned map, subject to the following conditions:

- (1) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the relocation and reconstruction of said station facilities and tracks.
- (2) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company is hereby authorized to relocate the crossing of its spur track with Third Street between Alpine Drive and Foothill Road and to construct a spur track at grade across a portion of the intersection of Alpine Drive and Santa Monica Boulevard in the City of Beverly Hills, County of Los Angeles, as shown by the map attached to the application, subject to the following conditions:

- (1) The above crossing of Third Street shall be identified as Crossing No. 6E-11.98-C.
- (2) The entire expense of constructing and thereafter maintaining the crossings in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossings shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed of a width to conform to those portions of said streets now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding two (2) per cent, and the crossing of Third Street shall be protected by a Standard No. 1 crossing sign as specified in our General Order No. 75.

- (4) Applicant shall remove the track shown in yellow on the map attached to the application, in so far as it lies in Third Street, and shall repair the roadway to conform to the remainder thereof.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of its compliance with the conditions hereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof 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 crossings, as to it may seem right and proper and to revoke its permission if, in its judgment, 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 November, 1930.

Clarence

Leon A. Whittell
Paul S. Lovell

Commissioners.