

L.M.

Decision No. 23718

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
the CITY OF LYNWOOD, for an order )  
authorizing the relocation of Grade )  
Crossing No. 6N-10.27 over the )  
Pacific Electric Railway Company's )  
Santa Ana Line on Bullis Road. )

APPLICATION NO. 17150

ORIGINAL

Roscoe R. Hess, for Applicant.

C. W. Cornell, for Pacific Electric  
Railway Company, Interested Party.

CARR, Commissioner.

OPINION

The City of Lynwood filed the above entitled application with this Commission, requesting authority to relocate the grade crossing of Bullis Road and the tracks of the Pacific Electric Railway Company in said City.

A public hearing on this application was held in Los Angeles on May 7, 1931, at which time the matter was duly submitted.

Bullis Road, extending in a general north and south direction, is, at the present time, so constructed that the center line of the roadway north of the tracks is offset from the center line of the roadway south of the tracks, thereby requiring a right-hand and left-hand turn immediately north of the present grade crossing with Pacific Electric Railway Company's tracks.

The City now desires to eliminate these turns and straighten out the alignment of the street by extending Bullis Road in a straight

line across the railroad tracks. The proposed crossing will be approximately ninety-five (95) feet east of the existing crossing.

Bullis Road will be fifty-six (56) feet wide between curbs, and it is intended to pave over the crossing with concrete to a width of thirty (30) feet, with oil and rock shoulders.

The estimated cost of constructing the proposed crossing, including the relocation of the wigwag, but exclusive of any paving, is sixteen hundred fifty dollars (\$1650.00). Of this amount, five hundred fifteen dollars (\$515.00) is for track betterment, and seventy dollars (\$70.00) for relocating the wigwag.

The Railway Company signified its willingness to bear the cost of track betterment, but was of the opinion that the balance of the cost should be borne by the City.

Inasmuch as the present crossing is adequate and in fair condition, and the relocation of the crossing is being made for the principal purpose of improving the alignment of the street, it would appear reasonable to assess the cost of track betterment and the cost of relocating the wigwag to the Railway Company, and the remainder to the applicant.

After carefully considering the evidence in this proceeding, it is concluded that public convenience and necessity would be subserved by the relocation of the crossing as proposed; that the cost of relocating same should be apportioned as outlined above, and that the existing crossing should be closed, upon the completion of the proposed crossing.

O R D E R

A public hearing having been held in the above entitled proceeding, the matter having been duly submitted, and the Commission being fully advised,

IT IS HEREBY ORDERED that the City Council of the City of Lynwood, in the County of Los Angeles, State of California, is hereby authorized to relocate Bullis Road at grade across the tracks of Pacific Electric Railway Company, at the location more particularly described in the application and as shown by the map (Exhibit "A") attached thereto, subject to the following conditions, and not otherwise:

- (1) The above crossing shall be identified as . . . Crossing No. 6N-10.29.
- (2) The entire expense of constructing the crossing shall be borne by applicant, except that portion of the cost for track betterment and for relocating the wigwag, which shall be borne by Pacific Electric Railway Company. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Pacific Electric Railway Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Pacific Electric Railway Company.
- (3) The crossing shall be constructed of a width of not less than fifty-six (56) feet, and at an angle of approximately eighty (80) degrees to the railroad, and with grades of approach not greater than four (4) per cent; shall be constructed equal or superior to type shown as Standard No. 3 in our General Order No. 72; shall be protected by a Standard No. 3 wigwag and a Standard No. 1 crossing sign, as specified in our General Order No. 75, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Prior to the beginning of actual construction of the crossing herein authorized, the City of Lynwood shall file with this Commission a certified copy of an appropriate ordinance or resolution, duly and regularly passed, instituting all necessary steps to legally

abandon and effectively close the existing public grade crossing of Bullis Road and identified as Crossing No. 6N-10.27. Upon the completion of the crossing herein authorized, and upon its being opened to public use and travel, said crossing No. 6N-10.27 shall be legally abandoned and effectively closed to public use and travel.

- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing 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 crossing, 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 effective date of this order shall be twenty (20) days from and after the date hereof.

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

Dated at San Francisco, California, this 15th day of

May, 1931.

Cl. Sweeney  
M. J. Cunniff  
W. B. Lanning  
Fred G. Stearns  
Commissioners.