

Decision No. 23821.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the
 City of Burbank, a Municipal Corpora-
 tion, and County of Los Angeles, a Body
 Politic, for an Order authorizing the
 separation of grades at Victory Place,
 in the City of Burbank, County of Los
 Angeles, State of California, under
 the Southern Pacific Coast Line Rail-
 road, and allocating the expense of
 the construction thereof.

Application No. 15838.

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

It appearing that the grade separation authorized by the Commission's Decision No. 22082, dated February 3rd, 1930, in this proceeding was not constructed within the time limit allowed; that the parties now desire to proceed with the work and are in agreement as to structural plans and method of effecting the improvement; and that public convenience and necessity require the construction of this separation; therefore,

IT IS HEREBY ORDERED that the City of Burbank and County of Los Angeles are hereby authorized to construct Victory Place under Southern Pacific Company's Coast Line tracks at the location described in the application and as shown on maps attached thereto.

This undergrade crossing shall be identified as Crossing No. E-462.3-B.

Said undergrade crossing shall be constructed subject to the following conditions:

- (1) The expense of constructing this undergrade crossing shall be borne two-thirds by the City of Burbank and the County of Los Angeles, applicants herein, and one-third by Southern Pacific Company, provided, however, that the expense of paving Victory Place and the cost of removing the fill and pavement placed by the City of Burbank, within the limits of the approaches, subsequent to the time the Commission made its order in Decision No. 16760, dated May 25th, 1926, in Application No. 12434, shall be borne exclusively by the applicants; and provided, further, that if the railroad elects to construct more than two tracks across Victory Place at the present time, the cost of any additional tracks shall be borne exclusively by said railroad.
- (2) The expense of maintaining the track supporting structure shall be borne by Southern Pacific Company. The expense of maintaining pumping equipment, lights and pavement, together with any other expense incident to the maintenance of this undergrade crossing, shall be borne by the applicants.
- (3) Said undergrade crossing shall be constructed with clearances conforming to the provisions of this Commission's General Orders Nos. 26-C and 64-A.
- (4) Applicants shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the construction of said undergrade crossing.
- (5) The terms and conditions of this order are contingent upon the undergrade crossing being constructed within one year from the date of the order; otherwise the authorization herein granted shall lapse and become void, unless further time is granted by subsequent order.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 17th day of June, 1931.

C. Searcy
Leon ...
W. J. ...
M. B. ...
Fred G. ...
Commissioners.