

Decision No. 23876

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 the PEOPLE OF THE STATE OF CALIFORNIA  
 on relation of the DEPARTMENT OF PUBLIC  
 WORKS, for an order authorizing the  
 construction of a pedestrian subway  
 under the tracks of the Pacific Electric  
 Railway, approximately two miles south  
 of Seal Beach, County of Orange,  
 State of California.

APPLICATION NO. 17469

BY THE COMMISSION.

**ORIGINAL**

ORDER

The People of the State of California, on relation of the Department of Public Works, on June 20, 1931, applied for authority to construct a pedestrian crossing at separated grades under the tracks of Pacific Electric Railway Company in the vicinity of Seal Beach, County of Orange, State of California. Pacific Electric Railway Company, on July 2, 1931, signified, in writing, that it has no objection to the construction of said undergrade crossing, provided two pedestrian crossings with its tracks at grade, heretofore authorized by the Commission in Decision No. 21364 on Application 15648, located in the vicinity of the proposed subway, be closed. Said Pacific Electric Railway Company has agreed to perform, at its own expense, the work of installing and maintaining the necessary temporary work to carry its tracks during construction of said subway.

It appearing that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity that the undergrade crossing be constructed, and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, are hereby authorized

to construct a pedestrian crossing at separated grades under the tracks of Pacific Electric Railway Company, in the vicinity of Seal Beach, County of Orange, State of California, at the location and substantially in accordance with the plan attached to the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. 6E-25.82-ED.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne in accordance with an agreement approved by this Commission, a certified copy of which shall be filed within ninety (90) days after the date hereof. Should said agreement not be filed within the above time, and further time not be granted by subsequent order, said costs will be apportioned by supplemental order herein.
- (3) Prior to the beginning of actual construction of the crossing herein authorized, the County of Orange 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 pedestrian grade crossings in the vicinity of said subway crossing and identified as Crossings Nos. 6E-25.73-D and 6E-25.86-D. Upon the completion of the crossing herein authorized, and upon its being opened to public use and travel, said Crossings Nos. 6E-25.73-D and 6E-25.86-D shall be legally abandoned and effectively closed to public use and travel.
- (4) 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.
- (5) 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.

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

Dated at San Francisco, California, this 17th day of

July, 1931.

Ed Seamy  
Ken O'Connell

Fred G. Stewart  
Commissioners.