

Decision No. 24492

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
the CITY OF SOUTH GATE, California,)
for authorization and permission to)
construct a grade crossing at Otis)
Avenue in said City.)

APPLICATION NO. 17869

BY THE COMMISSION.

O R D E R

ORIGINAL

The City Council of the City of South Gate, County of Los Angeles, State of California, on December 18, 1931, applied for authority to construct a public street known as Otis Avenue, at grade across the tracks of Southern Pacific Company, in said City of South Gate. Southern Pacific Company, on January 13, 1932, signified, in writing, that it has no objection to the construction of said crossing at grade.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said tracks at the point mentioned, and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the City Council of the City of South Gate, in the County of Los Angeles, State of California, is hereby authorized to construct Otis Avenue at grade across the tracks of Southern Pacific Company, at the location more particularly described in the application and as shown by the maps (Exhibits "A," "B" and "C") attached thereto, subject to the following conditions, and not otherwise:

- (1) The above crossing shall be identified as Crossing No. BK-491.3
- (2) The entire expense of constructing the crossing shall be borne by applicant. 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 Southern Pacific 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 Southern Pacific Company. Southern Pacific Company shall perform all actual work of constructing the crossing between lines two (2) feet outside of the outside rails.
- (3) The crossing shall be constructed of a width of not less than forty (40) feet, and at an angle of ninety (90) degrees to the railroad, and with grades of approach not greater than five (5) 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. 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) A Standard No. 3 wigwag, as specified in General Order No. 75 of this Commission, shall be installed and maintained for the protection of said crossing. The cost of installing said wigwag shall be borne by applicant. The cost of maintaining said wigwag shall be borne by Southern Pacific Company.
- (5) Prior to the beginning of actual construction of the crossing herein authorized, the City of South Gate 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 in the vicinity of Otis Avenue and identified as Crossing No. BK-491.1. Upon the completion of the crossing herein authorized, and upon its being opened to public use and travel, said Crossing No. BK-491.1 shall be legally abandoned and effectively closed to public use and travel.
- (6) 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.

- (7) 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.
- (8) 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 authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 15th day of February, 1932.

W. J. C.
Leon C. ...
M. B. ...
James G. ...
Commissioners