

ORIGINAL

Decision No. 10555.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of )  
Pacific Electric Railway Company )  
for permission to construct a spur )  
track at grade across Commonwealth )  
Avenue, in the City of Fullerton, )  
County of Orange, State of California.) Application No. 7906.

BY THE COMMISSION:

O R D E R

Pacific Electric Railway Company, a corporation, having on June 2, 1922, filed with the Commission an application for permission to construct a spur track at grade across Commonwealth Avenue, in the City of Fullerton, County of Orange, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit (Ordinance No. 269) has been granted by Board of Trustees of said City of Fullerton for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Commonwealth Avenue, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Pacific Electric Railway Company to construct a spur track at grade across Commonwealth Avenue in the City of Fullerton, County of Orange, State of California, described as follows:

Commencing at a point in the southerly line of Commonwealth Avenue, distant easterly 131.75 feet from the easterly line of Lawrence Avenue; thence northerly 50.17 feet to the beginning of a curve concave westerly and having a radius of 286.84 feet thence northerly along said curve 29.89 feet to a point in the northerly line of Commonwealth Avenue distant easterly 130.95 feet from the easterly line of Lawrence Avenue,

all of the above as shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of Commonwealth Avenue now graded, with grades of approach not exceeding four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) 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, the public con-

venience and necessity demand such action.

Dated at San Francisco, California, this 9<sup>th</sup> day of June,  
1922.

*H. B. Brundage*

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*David N. Rogge*

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*J. H. Jones*

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Commissioners.