

Decision No. 10841

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of Pacific Electric Railway Company to construct three tracks at Grade across Pico Avenue, in the City of Long Beach; and of the Southern Pacific Railroad Company to relocate and construct its railroad track across Pico Avenue, and alley West thereof, in the City of Long Beach; and of Southern Pacific Railroad Company and Southern Pacific Company, its lessee, to abandon, and remove, and discontinue service over the railroad of Southern Pacific Railroad Company, in the City of Long Beach, from the North Line of the intersection of Fifth Street and Maine Avenue, in the City of Long Beach, thence southerly and easterly to the end of said line at Cerritos Avenue.

Application No. 8115

BY THE COMMISSION:

O R D E R

Pacific Electric Railway Company, a corporation, having on July 29, 1922 filed with the Commission an application for permission to construct three tracks at grade across Pico Avenue in the City of Long Beach, County of Los Angeles, State of California; as hereinafter indicated and Southern Pacific Company having, in the same proceeding, made application for permission to relocate and construct its railroad track at grade across said Pico Avenue, as hereinafter indicated, and to abandon and remove and discontinue service over its railroad from the north line of the intersection of Fifth Street and Maine Avenue in said City of Long Beach, thence southerly and easterly to the end of said railroad track at Cerritos Avenue and Railway Street, in said City of Long Beach, as hereinafter

indicated, and it appearing that this is not a case in which a public hearing is necessary; that the necessary franchise (Ordinance No. C-63) has been granted by the City Council of said City of Long Beach for the construction of said crossings of the Pacific Electric Railway Company at grade across said Pico Avenue; that the necessary franchise (Ordinance No. C-64) has been granted by the City Council of the said City of Long Beach for the construction of said crossing of Southern Pacific Company at grade across said Pico Avenue, and it further appearing that it not reasonable nor practicable to avoid grade crossings with said Pico Avenue, the City Council of said City of Long Beach having indicated in writing that it has no objection to the abandonment of said railroad track of Southern Pacific Company from the north line of the intersection of Fifth Street and Maine Avenue to the end of said railroad track at Cerritos Avenue and Railway Street, and it appearing to the Commission that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted the Pacific Electric Railway Company to construct three tracks at grade across Pico Avenue, in the City of Long Beach, County of Los Angeles, State of California, described as follows:

"First: Beginning at a point in the most westerly track of the Pacific Electric Railway Company along the west side of the Los Angeles County Flood Control channel, in the City of Long Beach, County of Los Angeles, State of California, said point being southerly 589.23 feet distant from the point of intersection of the center line of said track with the easterly prolongation of the southerly line of Wilmington Boulevard as said Boulevard is shown upon the re-survey and correcting plat of Long Beach Harbor Tract recorded on page 142 in Book 10 of Maps, records of said county of Los Angeles; thence from said point of beginning northerly along a curve concave westerly and having a radius of 461.902 feet, a distance of 65.84 feet; thence N. 8° 10' W. a distance of 6 feet; thence northwesterly along a curve concave southwesterly and having a radius of 235 feet, a distance of 158.75 feet to a point in the westerly line of Pico Avenue, said point being southerly 408.13 feet from the southerly line of said Wilmington Boulevard.

"Second: Beginning at a point in the most westerly track of the Pacific Electric Railway Company along the west side of the Los Angeles County Flood Control channel, in the City of Long Beach, County of Los Angeles, State of California, said point being southerly 481.00 feet distant from the point of intersection of the center line of said track with the easterly prolongation of the southerly line of Wilmington Boulevard as said Boulevard is shown upon the re-survey and correcting plat of Long Beach Harbor Tract recorded on page 142 in Book 10 of Maps, records of said County of Los Angeles; thence from said point of beginning northwesterly along a curve concave southwesterly and having a radius of 235 feet, a distance of 196.53 feet to a point in the westerly line of Pico Avenue, said point being southerly 332.18 feet from the southerly line of said Wilmington Boulevard.

"Third: Beginning at a point in the most westerly track of the Pacific Electric Railway Company along the west side of Los Angeles County Flood Control channel in the City of Long Beach, County of Los Angeles, State of California, said point being southerly 353.06 feet distant from the point of intersection of the center line of said track with the easterly prolongation of the southerly line of Wilmington Boulevard as said Boulevard is shown upon the re-survey and correcting plat of Long Beach Harbor Tract recorded on page 142 in Book 10 of Maps, records of said County of Los Angeles; thence from said point of beginning northwesterly along a curve concave southwesterly and having a radius of 235 feet, a distance of 196.53 feet to a point in the westerly line of Pico Avenue, said point being southerly 204.24 feet from the southerly line of said Wilmington Boulevard.

all of the above as shown on Map (Drawing C.E. 5705 marked "Exhibit D") attached to the application subject to the following conditions; viz:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by Pacific Electric Railway Company.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of Pico Avenue now graded, with grades of approach not exceeding one (1) per cent; shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Pacific Electric Railway Company shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(4) The authorization herein granted for the installation of

said crossings will 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 crossings as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

IT IS HEREBY FURTHER ORDERED, that permission be and it is hereby granted Southern Pacific Company to relocate its track at grade across Pico Avenue, in the City of Long Beach, County of Los Angeles, State of California, described as follows:

" Beginning at a point on the center line of the Southern Pacific Railroad Company's track as now located in Pico Avenue, said point being distant 65 ft. easterly of the westerly line of said Avenue measured along said center line of track as now located; thence westerly on a curved line concave to the north and having a radius of 573.14 ft. a distance of 66.87 ft; to a point on said westerly line of said Avenue."

all of the above as shown on Map (Los Angeles Division Drawing E. 7469, Sheet 1 of 2, marked "Exhibit C") attached to the application; said relocated crossing to be constructed subject to the following conditions; viz:

(1) The entire expense of relocating 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 Southern Pacific Company.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of Pico Avenue now graded, with grades of approach not exceeding one (1) 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) The railroad track of Southern Pacific Company shall be removed from the intersection of the north line of Fifth Street and Maine Avenue, thence southerly on Maine Avenue and by a curve to the

east to Broadway at its intersection with Daisy Avenue, thence easterly on Broadway, or Second Street or Railway Street, to Cerritos Avenue, including all its spur tracks and side tracks between said points leading to freight station facilities now maintained between Linden Avenue and Olive Avenue, except that portion thereof used jointly by the Pacific Electric Railway Company across Alamitos Avenue.

IT IS HEREBY FURTHER ORDERED, that permission be and it is hereby granted Southern Pacific Company to abandon, remove and discontinue service over that portion of its railroad in the City of Long Beach, County of Los Angeles, State of California, from the intersection of the north line of Fifth Street and Maine Avenue, thence southerly on Maine Avenue and by a curve to the east to Broadway at its intersection with Daisy Avenue, thence easterly on Broadway or Second Street or Railway Street to Cerritos Avenue, including the removal of all spur tracks and side tracks between said points leading to the freight station facilities now maintained between Linden Avenue and Olive Avenue, except a portion of said track used jointly by Pacific Electric Railway Company across Alamitos Avenue, being the crossing of said railroad with the railroad of the Los Angeles and Salt Lake Railroad Company in the City of Long Beach, as shown on the maps marked "Exhibit B" and "Exhibit Ba" attached to the application, subject to the following conditions:

(1) Southern Pacific Company shall, within thirty (30) days thereafter notify this Commission in writing of the completion of the removal of said tracks.

(2) The Commission reserves the right to make such further orders relative to the abandonment and removal of said tracks as to it may seem right and proper.

Dated at San Francisco, California, this 10th day of August, 1922.

H. B. Rundberg
William Martin
Charles H. Lawrence
J. J. McDonald

Commissioners.