

Decision No. 10972.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application  
of Los Angeles Investment Company,  
a corporation, for permission to  
construct a foot passageway for  
public use over the right of way and  
track of The Atchison, Topeka & Santa  
Fe Railway Company in the City of  
Inglewood, County of Los Angeles, State  
of California.

ORIGINAL

Application No. 7454.

Messrs. Flint & MacKay, by William R. Flint, Esq.,  
for applicant.

Messrs. R. A. Brydolf and E. T. Lucey, for The  
Atchison, Topeka & Santa Fe Railway Company.

BY THE COMMISSION:

### O P I N I O N

This is an application by the Los Angeles Investment Company for permission to construct a foot passageway for public use at grade across the Redondo Branch of The Atchison, Topeka & Santa Fe Railway Company in the City of Inglewood.

A public hearing was held on this application in the City of Los Angeles before Examiner Williams on May 16, 1922.

The purpose of the application is to obtain authority for an outlet to Los Angeles Boulevard for some fifty families residing north of the Redondo Branch of the Santa Fe. This foot passageway is the only outlet that these families have to street-car service. The Los Angeles Boulevard parallels the railroad on its southerly side and lies between the Santa Fe track and the Los Angeles Railway's street car tracks. The foot passageway under consideration in this

proceeding passes over property, on the northerly side of the railroad, that is leased by the City of Inglewood. This land immediately north of the railroad lies some 20 feet below the grade of the track, but the Los Angeles Boulevard on the southerly side of the track is at approximately the same elevation as the railroad.

The railroad offers no objection to this foot passageway across their tracks provided it is not put to any expense in connection therewith. Although the present demand is for a crossing for pedestrian traffic only, it is possible that, at a future time, it will be necessary to construct a street for vehicular traffic at this location. It is probable that it will be found in the interest of public safety that such a public street, when required, should be constructed underneath not only the Santa Fe track, but the Los Angeles Boulevard and tracks of the Los Angeles Railway, with provisions for stops leading up to the boulevard for pedestrians on the northerly side of the Los Angeles Railway tracks.

It was stipulated that before an order granting this application should become effective, the applicant would file a copy of the ordinance, wherein the City of Inglewood would accept as a public thoroughfare the foot passageway. Accordingly, copy of such ordinance, passed by the Board of Trustees of the City of Inglewood accepting this passageway as a public pathway on behalf of the City of Inglewood, has been filed with the Commission and it therefore appears that the City of Inglewood is in fact the successor in interest to any permission that may be granted for the construction of this passageway. Under these circumstances it would seem reasonable that the cost of maintenance of this crossing should be borne by the City of Inglewood, but since the City was not a party to this proceeding it is not proper that the order in this matter require the City so to do. It is probable that the City will voluntarily assume this duty, but if it should not, it will be necessary before a definite order

can be made as to the maintenance of this crossing for another proceeding to be instituted.

### ORDER

The Los Angeles Investment Company having filed an application for permission to construct a foot passageway at grade across the track of The Atchison, Topeka & Santa Fe Railway Company in the City of Inglewood, a public hearing having been held, the City of Inglewood having accepted said passageway as a public pathway, the Commission being apprised of the facts and the matter being under submission and ready for decision,

IT IS HEREBY FOUND AS A FACT, that public convenience and necessity require the establishment of a public pathway at grade across the track of The Atchison, Topeka & Santa Fe Railway Company as hereinafter indicated, therefore

IT IS HEREBY ORDERED, that permission be and it is hereby granted the Los Angeles Investment Company, or its successor in interest, to construct a public pathway at grade across the track of The Atchison, Topeka & Santa Fe Railway Company at the location shown in the map attached to the application, said crossing to be constructed subject to the following conditions:

(1) The entire expense of constructing the crossing shall be borne by the applicant.

(2) The crossing shall be constructed of a width of not less than eight (8) feet and at an angle of ninety (90) degrees to the railroad; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of pedestrian 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 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 crossing 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.

Dated at San Francisco, California, this 31<sup>st</sup> day of August, 1922.

W. H. Brundage  
Wing Marshall  
J. F. Brundage  
Commissioners.