

Decision No. 11181

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of )  
Los Angeles and Salt Lake Railroad )  
Company to construct its line of rail- )  
road across twenty-five streets and )  
public highways and the tracks of ) Application No. 2987  
The Atchison, Topeka and Santa Fe )  
Railway Company and the Pacific Electric )  
Railway Company in the construction of )  
its proposed branch line to Fullerton. )

BY THE COMMISSION:

SECOND SUPPLEMENTAL ORDER

Los Angeles and Salt Lake Railroad Company, a corporation, having on September 16, 1922, filed its second supplemental application in the above entitled matter for permission to construct its branch line of railroad across certain public highways in the City of Fullerton and across the right-of-way and tracks of The Atchison, Topeka and Santa Fe Railway Company, as hereinafter indicated, and it appearing to the Commission that the necessary franchise has been received from the City of Fullerton; that said franchise (Ordinance No. 276) amends Ordinance No. 199, filed as Exhibit "K", by changing the route of said railroad through the City of Fullerton; that, therefore previous orders in this matter should be amended to correspond with the new route, and it further appearing that from the evidence in the application of the City of Fullerton for a rehearing relative to the construction at grade of Los Angeles and Salt Lake Railroad across South Spadra Road within the City of Fullerton and decided by Decision No. 10720 that this is not a case in which a public hearing is necessary; that The Atchison, Topeka

and Santa Fe Railway Company has, in writing, consented to the crossing of its right-of-way and tracks at grade; that it is not reasonable nor practicable to avoid grade crossings of public highways hereinafter mentioned and with said tracks of said The Atchison, Topeka and Santa Fe Railway Company and this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Los Angeles and Salt Lake Railroad Company to construct a branch line track at grade across the following public highways in the City of Fullerton, County of Orange:

West Commonwealth Avenue,  
South Nicholas Avenue,  
South Highland Avenue,  
Malden Avenue,  
South Spadra Road,  
Alley between South Spadra Road and Pomona Avenue,  
Pomona Avenue,  
South Harvard Avenue,  
South Lawrence Avenue

as shown on Exhibit "A" attached to said second supplemental application; said crossings to be constructed 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 applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said public highways now graded, with grades of approach not exceeding four (4) per cent; except at said crossing of South Spadra Road, where the top of the rails shall be laid flush with the surface of the street; 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) For the protection of said crossings of South Nicholas Avenue and South Highland Avenue automatic flagmen shall be installed

at the expense of applicant; said automatic flagman to be of a type and installed in accordance with plans or data approved by the Commission. The maintenance of said automatic flagmen shall be borne by applicant.

(4) For the protection of said crossings of South Spadra Road and West Commonwealth Avenue crossing gates shall be installed; said crossing gates to be of a type and installed in accordance with plans or data approved by the Commission. The cost of installing said crossing gates shall be borne by the applicant, The cost of maintaining said crossing gates at the crossing of South Spadra Road shall be borne by applicant and at the crossing of said West Commonwealth Avenue shall be borne one-half by applicant and one-half by The Atchison, Topeka and Santa Fe Railway Company.

IT IS HEREBY FURTHER ORDERED, that permission be and it is hereby granted Los Angeles and Salt Lake Railroad Company to construct its line of railroad at grade across the main line tracks of The Atchison, Topeka and Santa Fe Railway Company at applicant's engineer station 918 plus 67.8 near West Commonwealth Avenue, as shown on Exhibit "A" attached to said second supplemental application.

IT IS HEREBY FURTHER ORDERED, that for the protection of the crossing of the tracks of The Atchison, Topeka and Santa Fe Railway Company applicant shall at the same time said crossing is installed, install a first-class interlocking switch and signal system; said interlocking switch and signal system to be installed in accordance with Commission's General Order No. 33, except detector circuits shall be installed in addition to, or in lieu of, detector bars. The expense of installing said interlocking switch and signal system shall be divided, both as to expense of construction and expense of maintenance as provided in Exhibit "C" attached to second supplemental application.

IT IS HEREBY FURTHER ORDERED, that Decision No. 4516 be and it is hereby rescinded as to the crossings of South Nicholas Avenue, South Highland Avenue and South Spadra Road and to the overgrade crossing of the main line tracks of The Atchison, Topeka and Santa Fe Railway Company at engineer station 810 plus 17.2, all in the City of Fullerton.

IT IS HEREBY FURTHER ORDERED, that Decision No. 10417 be and it is hereby rescinded as to the crossings of an unnamed road at engineer station 719 plus 73, South Nicholas Avenue, South Highland Avenue and South Spadra Road all in the City of Fullerton.

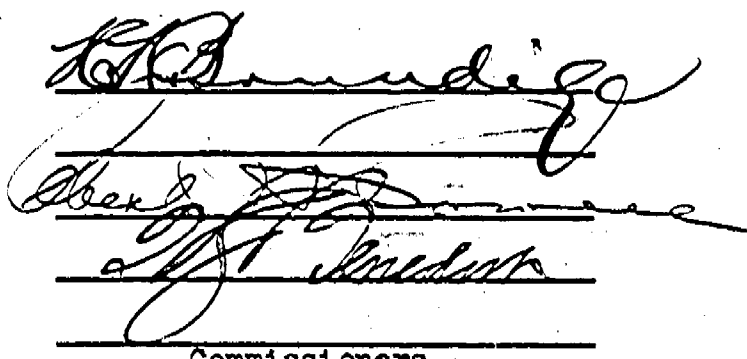
IT IS HEREBY FURTHER ORDERED, that the authorization herein granted is subject to the following further conditions:

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

(6) 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.

(7) 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.

Dated at San Francisco, California, this 30th day of October, 1922.

  
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Commissioners.