

ORIGINAL

Decision No. 4100

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of PACIFIC ELECTRIC RAILWAY COMPANY for permission to construct its tracks at grade across certain public highways and above a certain highway in the City of Fullerton, Orange County, and in Orange County, California.
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Application No. 2760.

By the Commission.

ORDER.

PACIFIC ELECTRIC RAILWAY COMPANY, a corporation, having on February 13, 1917, filed with the Commission an application for permission to construct its tracks at grade across certain public highways and above a certain highway in the City of Fullerton, Orange County, and in Orange County, 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 has been granted by the City of Fullerton for the crossings within its boundaries, and that some of the proposed crossings are not within the limits of an incorporated town or city and no franchise is needed for the construction of said crossings at grade; and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said public highways to be crossed at grade, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be hereby granted

Pacific Electric Railway Company to construct its tracks at grade across certain public highways and above a certain highway in the City of Fullerton, Orange County, and in Orange County, California, described as follows:

"1. That certain public highway known as Ocean Avenue, in the County of Orange, running east and west through the center of Section 9, Township 3 South, Range 10 West, San Bernardino Base and Meridian, at a point approximately one thousand three hundred twenty (1320) feet west of the northeast corner of the southwest quarter of said Section 9.

"3. That certain public highway in the City of Fullerton, known as Harvard Avenue, at a point approximately four hundred forty (440) feet north of Union Avenue.

"4. That certain public highway in said City of Fullerton, known as Chapman Avenue, at a point approximately seventy-seven and five-tenths (77.5) feet east of Lawrence Avenue.

"5. That certain public alley running east and west in the block between Chapman Avenue and Wilshire Avenue, in said City of Fullerton at a point approximately eighty (80) feet east of Lawrence Avenue.

"6. That certain public highway in said City of Fullerton, known as Wilshire Avenue, at a point approximately one hundred seventeen and five-tenths (117.5) feet east of Lawrence Avenue.

"7. That certain public alley in the block between Wilshire Avenue and Amerige Avenue, in the said City of Fullerton, at a point approximately one hundred twenty three and five-tenths (123.5) feet east of Lawrence Avenue.

"8. That certain public highway in said City of Fullerton, known as Amerige Avenue, at a point approximately one hundred twenty-three and five-tenths (123.5) feet east of Lawrence.

"9. That certain public alley running east and west in the block between Amerige Avenue and Commonwealth Avenue, in said City of Fullerton, at a point approximately one hundred twenty-three and five-tenths (123.5) feet east of Lawrence Avenue.

"10. That certain public highway in said City of Fullerton, known as Commonwealth Avenue, at a point approximately one hundred twenty three and five-tenths (123.5) feet east of Lawrence Avenue.

"11. That certain public highway in said City of Fullerton, known as Lawrence Avenue, at the intersection of said Lawrence Avenue with Santa Fe Avenue.

"12. That certain public highway in said City of Fullerton, known as Harvard Avenue, at the intersection of said Harvard Avenue with Sante Fe Avenue.

"13. That certain public alley running north and south in Block 27 of the "Townsite of Fullerton" in said city of Fullerton, at the intersection of said alley with Sante Fe Avenue.

"14. That certain public highway in said City of Fullerton, known as Pomona Avenue, at the intersection of said Pomona Avenue with Sante Fe Avenue.

"15. That certain public alley running north and south in Block 28, "Townsite of Fullerton," in said City of Fullerton, at the intersection of said alley with Sante Fe Avenue.

"16. That certain public highway, known as Santa Fe Avenue, in said City of Fullerton, at a point approximately one hundred fifty (150) feet west of Pomona Avenue.

"17. That certain public alley running east and west in Block 28, "Townsite of Fullerton," in said City of Fullerton, at a point approximately two hundred ten (210) feet west of Pomona Avenue.

IT IS HEREBY FURTHER ORDERED, That the following overhead crossing shall be constructed at separated grades.

"2. That certain public highway in said City of Fullerton, known as Spadra Road, at a point approximately six hundred and five (605) feet north of Union Avenue.

All of the above as shown by the map attached to the 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) The grade crossings shall be constructed of a width and type of construction to conform to those portions of the highways to be crossed now graded, with grades of approach not exceeding four (4) 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) The overhead crossing (Crossing No. 2) shall be constructed to conform to the Commission's General Order No. 26.

(4) All engines, trains, cars and motors shall come to a full stop before crossing on Chapman Avenue (Crossing No. 4).

(5) For the protection of Harvard Avenue (Crossing No. 3) and Commonwealth Avenue (Crossing No. 10) applicant shall install and maintain at its own expense an automatic flagman of a type approved by the Commission.

(6) 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 15th day of February, 1917.

Max Tietze
H. Howard
W. Gordon

Commissioners.