

ORIGINAL

Decision No. \_\_\_\_\_.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Decision No. 4516

In the matter of the application of  
LOS ANGELES AND SALT LAKE RAILROAD COMPANY  
for authority to construct, maintain and  
operate a line of railroad from a point  
near Whittier Boulevard at the south city  
limits of the City of Whittier, County of  
Los Angeles, State of California, to  
through, and to the south city limits of  
the City of Fullerton, County of Orange,  
said State, across twenty-five streets and  
public highways, and the tracks of the  
Atchison, Topeka and Santa Fe Railway  
Company and the Pacific Electric Railway  
Company in the construction of its proposed  
branch line to Fullerton.  
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Application No. 2987.

A. S. Halsted, for Los Angeles & Salt Lake Railroad Company

Frank Karr and R. C. Gortner, for Pacific Electric Railway  
Company

E. J. Marks, City Attorney, for City of Fullerton

W. W. Patch, Division Engineer, for the State Highway  
Commission.

GORDON, Commissioner.

#### OPINION

In this application the Los Angeles and Salt Lake Railroad Company asks permission to cross twenty-eight streets and highways in Los Angeles County, Orange County and the City of Fullerton, as well as one spur track and two main line tracks of the Pacific Electric Railway Company and the main line track of the Atchison, Topeka & Santa Fe; one of the highway crossings is the state highway. These crossings are required by the railroad company in the construction of its new line from Whittier to Fullerton, a distance of about 14 miles, for which the railroad company has secured about 75 per cent of the right of way, and with the construction of which it is ready to proceed at once. All of the several interested parties; that is, the two railroad companies, the boards of supervisors of Los Angeles and Orange counties, the board of trustees of Fullerton, and the State Highway

Commission, were notified of the hearing, which was held in this application on July 18th.

Some of the streets and railroads are to be crossed at grade and others at separated grades. No protest was received against granting the application, against the particular manner in which the crossings were to be made or against the protection to be afforded the grade crossings. The applicant has received a franchise from the City of Fullerton for the streets to be crossed in that city, and it has either entered into agreements with the railroad companies for the railroad crossings, or has its negotiations so far under way that a decision need not be delayed pending the final steps.

It seems to me to be unnecessary to discuss each of these many crossings in this opinion. The railroad company has made every effort to avoid grade crossings wherever possible and has indicated its willingness to protect amply the crossings to be made at grade, although its plans, as they were presented at the hearing, left much to be desired along this line. From my personal inspection of these crossings, made in connection with our engineering department, I am convinced that the application should be granted; but I believe that on a line of this character where some \$35,000 per mile is being expended for right-of-way and the country is devoted to intensive fruit culture, with trees obstructing the intersection of the track with the highways, the comparatively slight cost of automatic flagman more than justifies their installation at crossings where the views are not entirely open. I shall consequently recommend this protection at several crossings which the railroad company did not propose to so protect, and in the following order, which I recommend, all the protection which the railroad company proposed to afford for the railroad as well as the highway crossings will be ordered together with ad-

ditional protection at points where it appears to be needed. Three of the crossings applied for, an unnamed road at engineer's station 181 plus 03.2, Walnut Avenue and Hazel Avenue, are not open and permission to cross these highways will be withheld, as well as permission to cross a public road at engineer's station 267 plus 17.7, and the Bethel Road, where a slight road change will eliminate the need of public crossings.

### O R D E R

LOS ANGELES AND SALT LAKE RAILROAD COMPANY having applied to the Commission for permission to construct its line of railroad over, beneath and at grade across certain lines of railroads, public roads, streets and state highways in Los Angeles and Orange Counties and the city of Fullerton and a hearing having been held, and it appearing to the Commission that this application should be granted subject to certain conditions,

IT IS HEREBY ORDERED, that permission be and the same is hereby granted Los Angeles and Salt Lake Railroad Company to construct its tracks at grade across the following public streets and highways, at the points and in the manner shown on the maps subject to the conditions to be hereinafter mentioned, attached to this application, and not otherwise:

Greenleaf Road, Painter Road, Barton Avenue, Walnut Avenue, Gunn Road, Colima Road, Cole Road, Scott Avenue and Leffingwell Road; all in Los Angeles County.

Des Moines Road, Leuhn Road, Hiatt Street, Main Street, Aldrich Avenue, Cypress Street, Fullerton Road (which is a state highway), and an unnamed road at engineer's station 566 plus 35; all in Orange County.

South Nicholas Avenue, South Highland and South Spadra Road; all in the City of Fullerton.

The above grade crossings to be constructed subject to the following conditions:-

(1) The entire expense of constructing these 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) All crossings shall be constructed of a width and type of construction to conform to those portions of the public highways to be crossed now graded, with grades of approach not exceeding six (6) per cent; shall, unless otherwise protected, be protected by a suitable crossing sign, and in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) The right of way of applicant in the vicinity of these crossings shall be entirely cleared for a distance of four hundred (400) feet from the crossings.

(4) Automatic flagmen of a type approved by the Commission shall be installed and maintained at the expense of applicant for the protection of the following crossings:

Greenleaf Road, Painter Road, Barton Avenue, Walnut Avenue, Gunn Road, Colima Road, Cole Road, Scott Avenue, Leffingwell Road, Des Moines Road, Leuhm Road, Ellett Street, the unnamed road at Engineers Station 566 plus 35, South Nicholas Avenue, and South Highland Avenue.

(5) For the protection of the Fullerton Road (a state highway) applicant shall install, maintain and operate at its own expense suitable crossing gates in connection with the interlocking plant for the protection of the crossing of the Pacific Electric Railroad, to be hereinafter mentioned.

(6) For the protection of the South Spadra Road applicant shall, at its own expense, install, maintain and operate suitable crossing gates of a type approved by the Commission.

IT IS HEREBY FURTHER ORDERED, That applicant be and the same hereby is granted permission to construct its tracks beneath the

North Spadra Road and above West Commonwealth Avenue and an unnamed road at engineer's station 704 plus 50; provided all clearances, both horizontal and vertical shall not be less than the minimum specified in the Commission's General Order 26.

IT IS HEREBY FURTHER ORDERED, That applicant be and the same hereby is granted permission to construct its tracks at grade over a spur track of Pacific Electric Railway Company near the Leffingwell Road provided that after the installation of the crossing frogs, all engines, trains, motors and cars of applicant shall proceed over the crossing under full control and all engines, trains, motors and cars of Pacific Electric Railway Company shall come to a full stop before passing over same.

IT IS HEREBY FURTHER ORDERED, That permission be and the same hereby is granted applicant to construct its track at grade over the main line of Pacific Electric Railway Company at engineer's station 554 plus 19.1, provided applicant shall, at its own expense, subject to such agreements as have been or may be made with Pacific Electric Railway Company, install a first-class, standard interlocking plant, the plans of which shall be approved by the Commission.

IT IS HEREBY FURTHER ORDERED, That applicant be and the same hereby is granted permission to construct its tracks beneath the located line and proposed tracks of Pacific Electric Railway Company at engineer's station 661 plus 66.9, provided all clearances conform in all respects to the Commission's General Order No. 26.

IT IS HEREBY FURTHER ORDERED, That permission be and same is hereby granted applicant to construct its tracks above the main line tracks of The Atchison, Topeka and Santa Fe Railway Company at engineer's station 810 plus 17.2, provided the clearances conform

to the Commission's General Order 26.

IT IS HEREBY FURTHER ORDERED, That the Commission reserves the right to make such further orders regarding this application as to it may seem right and proper.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 6th day of August, 1917.

H. B. Howard  
W. L. Gordon  
Edwin O. Ege  
Frank R. Brown

Commissioners.