

ORIGINAL

In the matter of Pacific Electric
Railway Company, a corporation,
for authority to construct a cross-
ing at the extension of Atwater
Avenue and Brand Boulevard, on the
Glendale Line of Petitioner.)

) Application No. 6930.

Frank Karr, for Applicant.
and Southern Pacific Company.

By The Commission:

O P I N I O N

In this application the Pacific Electric Railway Com-
pany applies for permission to construct a crossing at grade over
its Glendale line at the extension of Atwater Avenue, Los Angeles.

A public hearing was held in Los Angeles before Examiner
Williams.

The Pacific Electric-Glendale Line at Atwater Avenue
occupies a 60 ft. private right of way in Glendale Boulevard (some-
times called Brand Boulevard), Glendale Boulevard being a split
street; that is, it consists of two separate roadways each 40 feet
wide on either side of this private right of way.

The testimony indicates that applicant was approached
by a real estate firm which wished this crossing in order to provide
access to a tract of land which it was developing and which is being
built up with small homes.

Glendale Boulevard is one of the principal streets be-
tween Los Angeles and Glendale, being known as Glendale Boulevard in
Los Angeles and as Brand Boulevard in Glendale. The boundary line
between Los Angeles and Glendale is situated about 1180 feet north-

easterly along Glendale Boulevard from Atwater Avenue, in which distance there is no crossing of the tracks.

There is a private crossing used by the public located approximately 470 feet southwesterly from the proposed crossing. It was recommended that it be closed and no objection was made.

There are two private crossings, publicly used, located within the City of Glendale and adjacent to the boundary line between this City and Los Angeles. These crossings lie on either side of the Southern Pacific Company's main line double track railroad between Los Angeles and Burbank and are located across the Pacific Electric tracks on property belonging to the Southern Pacific Company and over which applicant has an easement for its railway. It was recommended that these two crossings also be closed and no objection was made to this.

Although the City of Glendale was notified of the hearing no appearance was made, and since in the application this City did not appear the decision herein cannot properly include the closing of the above two private crossings located in the City of Glendale.

The application alleges that applicant offered to the City of Los Angeles to make and execute an easement for the purpose of making the proposed crossing and is informed by the representatives of the City that such an easement would be executed. This action was taken, no doubt, so that a public highway exists so that the Commission would be in a position to act upon the application. Such an easement was made and delivered to the City, but since the City was not represented there could be no official statement to the effect that the easement had been accepted. Since the hearing, however, the City of Los Angeles notified the Commission that a grant of easement for street purposes across the right of way of applicant at the intersection of Atwater Avenue and Brand Boulevard was accepted by the City of Los Angeles through its council on August 16, 1921 and filed for record with the Register of Deeds of Los Angeles County and, furthermore, that it is

agreeable to the City of Los Angeles that this application be granted.

There seems to be a reasonable necessity of a crossing at Atwater Avenue, provided particularly that the private crossing located southwest of the proposed crossing is abandoned for public use and travel.

The evidence shows that it was proposed to make the crossing 20 feet in width with grades of approach of 8%. The Commission's engineering department recommended that the minimum width should be 24 feet and that its practice was and had been to recommend this as a minimum width for crossings of this character. It was further brought out that while the grades of approach are 8%, that this meant only a rise of 18 inches in 20 feet. Under these circumstances the Commission's engineering department made no objection to this grade of approach, although considerably steeper than is ordinarily approved. No protection other than the standard crossing sign is necessary at present.

It appears that public necessity and convenience justify the granting of this application under certain conditions:

O R D E R

Pacific Electric Railway Company having applied to the Commission for permission to construct a crossing over its tracks at the extension of Atwater Avenue over Brand Boulevard on its Glendale line, a public hearing having been held and the matter being under submission and ready for decision and it further appearing that the City of Los Angeles has accepted a grant of easement for street purposes at this crossing.

IT IS HEREBY ORDERED that permission be and it is hereby granted the Pacific Electric Railway Company to construct a crossing at grade across its tracks at the intersection of Atwater Avenue and Brand Boulevard, described as follows, to-wit:

A strip of land sixty (60) feet in width situate in the City of Los Angeles, County of Los Angeles, State of California, being all that portion of a certain strip of land sixty (60) feet in width conveyed by L.C. Brand, et ux, to Los Angeles Interurban Railway Company by deed recorded on Page 73, Book 2645 of Deeds, Records of said County lying 30 feet on either side of the northwesterly prolongation of the center line of Atwater Avenue as shown on Map of Tract No. 1723, Pages 134, 135, Book 21 of Maps, Records of said County.

All of the above as shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossing shall be borne by the applicant. The cost of its maintenance up to a line two (2) feet outside the rails shall be borne by the City of Los Angeles. The maintenance of that portion of the crossing between the rails and two (2) feet outside thereof shall be borne by the Pacific Electric Railway Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grade of approach not greater than eight (8) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) The existing private crossing located approximately 470 feet southwesterly from the proposed crossing be effectively closed to public use and travel.

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

(5) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(6) 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 4th day of ~~October~~^{November},
1921.

H. B. Boyd
A. D. [unclear]
James Martin
J. P. [unclear]

Commissioners.