

Decision No. 9783

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Pacific Electric Railway Company, a corporation, for permission to construct a spur track at grade across Palm Avenue, in the City of Orange, County of Orange, State of California.

Application No. 7337.

By the Commission:

O R D E R

Pacific Electric Railway Company, a corporation, having on November 14, 1921, filed with the Commission an application for permission to construct a spur track, at grade, across Palm Avenue, in the City of Orange, County of Orange, State of 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 Board of Trustees of the City of Orange, for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said Palm Avenue, 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 a spur track at grade across Palm Avenue, in the City of Orange,

County of Orange, State of California, described as follows:

Beginning at a point in the northerly line of Palm Avenue, in the City of Orange, distant westerly 92.70 feet from the point of intersection of said northerly line of Palm Avenue with the northerly prolongation of the westerly line of Cypress Street; thence from said point of beginning southerly in a direct line 66.00 feet, more or less, to a point in the southerly line of said Palm Avenue distant 92.94 feet westerly from the west line of said Cypress Street.

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, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of Palm Avenue now graded, with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing sign and shall, in every way, be made safe for the passage thereover of vehicles and other road 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 shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

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 18th day of November, 1921.

H. B. Broun
A. W. Leonard

Charles F. ...
J. H. ...
Commissioners