

Decision No. 26001.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of the City of Long Beach, a municipal
corporation, for the construction of a
crossing of the right of way of the Pac-
ific Electric Railway Company at Eleventh
Street and Newport Avenue, Public Streets,
in the City of Long Beach, County of
Los Angeles, State of California.

Application No. 18848.

BY THE COMMISSION:

O R D E R

The City of Long Beach, County of Los Angeles, State of California, on April 28, 1933, applied for authority to construct public streets known as Eleventh Street and Newport Avenue at grade across the tracks of Pacific Electric Railway Company, in the said City of Long Beach. Only one grade crossing would result by the construction of these streets inasmuch as they intersect at the point of crossing with said tracks. Pacific Electric Railway Company on May 13, 1933, signified, in writing, that it has no objection to the construction of said crossing at grade. Permission for the construction of this crossing was originally granted, after a public hearing, by the Commission's Decision No. 21242 dated June 17, 1929 in Application No. 15462, but the permission so granted was allowed to lapse.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said tracks at the point mentioned, and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the City of Long Beach, in the County of Los Angeles, State of California, is hereby authorized to construct Eleventh Street and Newport Avenue at grade across the tracks of Pacific Electric Railway Company, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 6E-20.26.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Pacific Electric Railway Company. Pacific Electric Railway Company shall perform all actual work of constructing the crossing between lines two (2) feet outside of the outside rails.
- (3) The crossing shall be constructed in accordance with the plan shown on the map attached to the application and with grades of approach not greater than two (2) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Automatic signals selected from the types specified in General Order No. 75-A of this Commission shall be installed and maintained for the protection of said crossing. Applicant shall submit to this Commission for its approval plan showing type and proposed location of automatic signals selected. The cost of installation of said automatic signals shall be borne by the applicant. The cost of maintenance shall be borne by Pacific Electric Railway Company.
- (5) In so far as this particular crossing is concerned exemption is hereby granted from the compliance with the provisions of Section VI(e) of the Commission's General Order No. 75-A.
- (6) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (7) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.

- (8) 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, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 26th
day of May, 1933.

P. C. Leary

W. H. Cunn

M. B. Harris

M. H. Harris
Commissioners.