

Decision No. 26800.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
the COUNTY OF LOS ANGELES for con-
struction of overhead crossing on La
Tijera Boulevard over right of way
of Pacific Electric Railway.

Application No. 19076.

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

By the terms of the Commission's Order in its Decision No. 26654, dated December 18, 1933, in the above entitled proceeding, the County of Los Angeles was authorized to construct La Tijera Boulevard at separated grades over the Pacific Electric Railway Company's Inglewood Branch, in the vicinity of Inglewood, under certain conditions, one of which, No. (3), provides that applicant and the Pacific Electric Railway Company shall enter into an agreement covering the cost of maintenance of this separation, a copy of which agreement shall be filed with the Commission within ninety (90) days from the date of the Order, and further provides that if the parties are unable to reach an agreement, the matter will be determined by supplemental order of the Commission.

It appears that the parties have been unable to reach an agreement and have requested the Commission to apportion the cost of maintenance. After considering this phase of the separation problem it is concluded that the railway company should maintain the substructure of that portion of the separation located within its right of way, and that applicant should maintain the super-

structure of this section together with the complete approaches thereto, therefore,

IT IS HEREBY ORDERED that Condition (3) of said Decision No. 26654, dated December 18, 1933, shall be amended to read as follows:

"(3) The expense of maintenance of that portion of the viaduct located within the railroad right of way, which might be referred to as the substructure, which will include foundations, footings, bents or piers, up to the underside of the street-supporting structure, together with the surface drainage within the limits of the right of way, shall be borne by the Pacific Electric Railway Company. The remainder of the cost of maintenance of said structure, or superstructure, including girders, floor beams, roadways, and railings, shall be borne by applicant. Applicant shall also bear the entire cost of maintenance of the approaches of the separation outside the limits of the railroad right of way."

In all other respects Decision No. 26654 shall remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 26th day of March, 1934.

Leon C. White
W. J. Kim
W. B. Harris
W. H. H. H. H.
Commissioners.