

Decision No. 26918 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the application of
the People of the State of California
on relation of the Department of Public
Works, for an order authorizing
the construction of a State highway
crossing at grade across the tracks
of the Union Pacific Railroad at the
westerly boundary of the City of Long
Beach, Los Angeles County, California.

Application No. 19286.

ORIGINAL

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on January 29, 1934, applied for authority to construct a State Highway known as Road VII-LA-60-Long Beach (State Street), at grade across the track of the San Pedro Branch of Los Angeles and Salt Lake Railroad Company, called Union Pacific Railroad in the application, in the City of Long Beach, County of Los Angeles, State of California.

Los Angeles and Salt Lake Railroad Company on February 27, 1934, advised applicant, in writing, that it has no objection to the construction of said crossing at grade, provided, however, that applicant would agree to bear the entire cost of constructing a future grade separation at this point. The allocation of cost of said future separation cannot be disposed of at this time and can only be decided when a grade separation proceeding is before the Commission.

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

track at the point mentioned and that the application should be granted,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, are hereby authorized to construct State Highway Route VII-LA-60-Long Beach (State Street) at grade across the track of the San Pedro Branch of Los Angeles and Salt Lake Railroad Company, at the location as shown by the map (Exhibit "A"), attached to the application, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 3A-21.0.
- (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 Los Angeles and Salt Lake Railroad Company.
- (3) The crossing shall be constructed of a width of not less than forty (40) feet and at an angle of approximately seventy-five (75) degrees to the railroad and with grades of approach not greater than two (2) per cent; shall be constructed equal or superior to type shown as Standard No. 3 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) Two Standard No. 5 automatic signals, as specified in General Order No. 75-A of this Commission, shall be installed at the sole expense of applicant and maintained thereafter by Los Angeles and Salt Lake Railroad Company, for the protection of said crossing herein authorized to be constructed.
- (5) Nothing in this order is to be construed as a commitment on the part of the Commission relative to an apportionment of the cost of constructing and maintaining any future grade separation at this location.
- (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 of this order 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 2^d day of April, 1934.

C. C. Leavy
Leon Whiteley
W. A. Carr
M. B. Harris
W. H. ...

Commissioners.