

Decision No. 26934.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
the City of Seal Beach, California,  
a Municipal Corporation, for per-  
mission for the construction of a  
railroad crossing at 12th Street and  
Electric Avenue over the Pacific  
Electric Railway Company's right of  
way in said City.

) Application No. 19303.

BY THE COMMISSION:

O R D E R

The City Council of the City of Seal Beach, County of Orange, State of California, on February 7th, 1934, applied for authority to construct a public street known as Twelfth Street at grade across the tracks of Pacific Electric Railway Company, in the said City of Seal Beach. Pacific Electric Railway Company, on February 15th, 1934, signified, in writing, that it has no objection to the construction of said crossing at grade. 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 Council of the City of Seal Beach, in the County of Orange, State of California, is hereby authorized to construct Twelfth Street at grade across the tracks of Pacific Electric Railway Company at the location

more particularly described in the application and as shown by the maps (Exhibits "A" and "B") attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 6E-24.24.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing up to 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 of a width not less than forty (40) feet and at an angle of approximately seventy (70) degrees to the railroad and with grades of approach not greater than six (6) 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) One (1) Standard No. 1 crossing sign and one (1) Standard No. 3 wigwag, as specified in General Order No. 75-A of this Commission, shall be installed at the sole expense of applicant for the protection of said crossing of Twelfth Street, Crossing No. 6E-24.24. The maintenance of said protection shall be borne by Pacific Electric Railway Company.
- (5) Pacific Electric Railway Company is hereby granted exemption from the provisions of Section VI (e) of the Commission's General Order No. 75-A.
- (6) Prior to the beginning of actual construction of the crossing herein authorized, the City of Seal Beach shall file with this Commission a certified copy of an appropriate ordinance or resolution, duly and regularly passed, instituting all necessary steps to legally abandon and effectively close the existing public grade crossing at Fourteenth Street and identified as Crossing No. 6E-24.37. Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, said Crossing No. 6E-24.37 shall be legally abandoned and effectively closed to public use and travel.

- (7) 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.
- (8) 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.
- (9) 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 4th day of April, 1934.

W. J. ...  
Leon ...  
M. A. ...  
M. B. ...  
...

Commissioners.