

Decision No. 26952

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the COUNTY OF LOS ANGELES for)
construction of crossing on) Application No. 19312
Imperial Highway in Road District)
No. 1, over tracks of Atchison,)
Topeka and Santa Fe Railroad.)

BY THE COMMISSION.

ORIGINAL

ORDER

The County of Los Angeles, State of California, on February 14, 1934, applied for authority to construct a public road known as Imperial Highway at grade across the track of The Atchison, Topeka and Santa Fe Railway Company, in the said County of Los Angeles. The Atchison, Topeka and Santa Fe Railway Company, on April 2, 1934, signified, in writing, that it has no objection to the construction of said crossing at grade. The Los Angeles County Grade Crossing Committee, in its report dated March 13, 1934, has recommended that the application be granted.

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, subject to certain conditions,

IT IS HEREBY ORDERED that the County of Los Angeles, State of California, is hereby authorized to construct Imperial Highway at grade across the track of The Atchison, Topeka and Santa Fe Railway Company, at the location more particularly described in the application and as shown by the map (Exhibit "A") attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 2-156.1.
- (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 rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company. The Atchison, Topeka and Santa Fe Railway Company shall perform all actual work of constructing the crossing between lines two (2) feet outside of the rails.
- (3) The crossing shall be constructed of a width of not less than thirty (30) feet and at an angle of approximately seventy (70) degrees to the railroad and with grades of approach not greater than four (4) per cent; shall be constructed equal or superior to type shown as standard No. 2 in General Order No. 72 of this Commission, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Two standard No. 4 wigwags (side-of-street type), as specified in General Order No. 75-A of this Commission, shall be installed for the protection of said crossing of Imperial Highway, Crossing No. 2-156.1. The cost of installing said protective devices shall be borne in accordance with the terms of a general contract between the applicant and The Atchison, Topeka and Santa Fe Railway Company, which provides that seventy-five (75) per cent of the cost shall be borne by the applicant and twenty-five (25) per cent by The Atchison, Topeka and Santa Fe Railway Company. The maintenance of these protective devices shall be borne by The Atchison, Topeka and Santa Fe Railway Company.
- (5) Prior to the beginning of actual construction of the crossing herein authorized, the County of Los Angeles shall file with the 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 Leffingwell Road and identified as Crossing No. 2-156.4. Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, said Crossing No. 2-156.4 shall be legally abandoned and effectively closed to public use and travel.

- (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 16th day of April, 1934.

C. L. Leary
Leon White
M. A. Carr
M. B. Lewis
M. J. [unclear]

Commissioners.