

Decision No. 28393.

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 crossing at separated grades of Mission Road and the tracks of the Pacific Electric Railway, in the City of Los Angeles, County of Los Angeles, State of California.

**ORIGINAL**  
Application No. 20234.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on November 5, 1935, applied for authority to construct a public highway known as Mission Road, at separated grades under the main line tracks of Pacific Electric Railway Company in the City of Los Angeles. In Application No. 20198 Pacific Electric Railway Company applied for authority to construct the same crossing and by such action has indicated that it has no objection to the construction of said undergrade crossing.

The grade separation will be effected by raising the railway tracks above the highway and the construction work will be paid for with funds made available for the purpose by the Federal Government. Mission Road is a city street under the jurisdiction of the City of Los Angeles and the obligation of the State of California extends only to the construction of the crossing. The cost of maintaining the structure should be borne by the railroad and the City of Los Angeles.

It appearing that a public hearing is not necessary herein;

that it is in the interest of public convenience and necessity that the undergrade crossing be constructed 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 a public highway known as Mission Road at separated grades under the main line tracks of Pacific Electric Railway Company in the City of Los Angeles, County of Los Angeles, State of California, at the location more particularly described in the application and substantially in accordance with and as shown by the plan attached to the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. 6P-4.94-B.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintaining the crossing shall be in accordance with an agreement between the interested parties, a certified copy of which shall be filed with the Commission within one hundred and twenty (120) days after the date hereof. Should said agreement not be filed within the above time and further time be not granted by subsequent order, said costs will be apportioned by supplemental order herein.
- (3) Prior to the commencement of construction applicant shall file with the Commission a plan for said crossing, showing the clearances, width of roadway and grades of approach, which plan shall have been approved by the interested parties.
- (4) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (5) Within one hundred and twenty (120) days from the date of this order, applicant shall file with the Commission a certified copy of an agreement between the parties, covering the terms of construction and maintenance of said crossing.

(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.

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

Dated at San Francisco, California, this 25<sup>th</sup> day of November, 1935.

Leon Aubrey

M. A. Curran

M. B. Harris

James R. Devlin

Commissioners.