

ORIGINAL

Decision No. 28296.

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 con-
struction of a crossing at separated
grades of Soto Street and the tracks of
the Los Angeles and Salt Lake Railroad
between Rio Vista Avenue and Washington
Boulevard, in the City of Los Angeles,
Los Angeles County, California.

Application No. 20252.

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 9, 1935, applied for authority to construct a public highway known as Soto Street, at separated grades under the main line and side tracks of Los Angeles and Salt Lake Railroad Company in the City of Los Angeles. Los Angeles and Salt Lake Railroad Company, on November 13, 1935, signified, in writing, that it had no objection to the construction of said undergrade crossing.

Applicant proposes to construct the crossing with funds made available for the purpose by the Federal Government. Soto Street is a city street under the jurisdiction of the City of Los Angeles and applicant's obligation with respect to the crossing extends only to the construction thereof. The cost of maintaining the structure should therefore be assessed to the railroad and the City of Los Angeles.

It appears that upon completion of the grade separation,

tracks which now cross Soto Street at grade can be removed within the limits of the highway.

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, subject to certain conditions,

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 Soto Street at separated grades under the main line and side tracks of Los Angeles and Salt Lake Railroad 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. 3-2.1-B.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintaining said structure below the base of bridge seats, including the paving, drainage and lighting, shall be borne by the City of Los Angeles. The cost of maintaining the structure above the base of bridge seats shall be borne by Los Angeles and Salt Lake Railroad Company. Prior to the beginning of actual construction, applicant shall file a certified copy of a resolution or other action by the City Council of the City of Los Angeles to the effect that said City will assume the cost of maintaining the structure as set forth herein.
- (3) Prior to the commencement of construction, applicant shall file a plan for said crossing, showing clearances, roadway width 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 six (6) months from the date of this order, applicant shall file with the Commission a copy of an agreement between the interested parties covering the terms of construction and maintenance of said crossing.
- (6) Upon completion of the crossing herein authorized, the existing crossings of the tracks of Los Angeles and Salt Lake Railroad Company with Soto Street, identified as Crossings Nos. 3-2.1 and 3-2.1-C, shall be abolished by removal of the tracks within the limits of the street.
- (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.
- (6) 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 25th day of November, 1935.

Leon Whitney

M. A. Cum

W. B. Davis

Braun R. M. M.

Commissioners.