

Decision No. 29685

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of The Atchison, Topeka and Santa Fe Railway Company for authority to construct, maintain and operate a spur track across East 25th Street and an alley lying between East 24th Street and East 25th Street, in the City of Los Angeles, County of Los Angeles, State of California.

Application No. 21119.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, on April 5th, 1937, applied for authority to construct a spur track at grade across East 25th Street and an alley lying between East 24th Street and East 25th Street, in the City of Los Angeles, County of Los Angeles, State of California. The necessary franchise or permit (Ordinance No. 77859), has been granted by the City Council of said City for the construction of said crossings at grade. It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings at the points mentioned and that the application should be granted, subject to certain conditions;

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct a spur track at grade across East 25th Street and an alley lying between East 24th Street and East 25th Street, in the City of

Los Angeles, County of Los Angeles, State of California, at the locations more particularly described in the application and as shown by the map (Exhibit "A"), attached thereto, subject to the following conditions:

- (1) The above crossing of East 25th Street shall be identified as a portion of Crossing No. 2W-0.25.  
  
The crossing of the alley between East 24th Street and East 25th Street shall be identified as Crossing No. 2W-0.41-CD.
- (2) The entire expense of constructing and thereafter maintaining the crossing of East 25th Street, in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.
- (3) This order is made upon the express condition that the alley between East 24th Street and East 25th Street is not now actually constructed and open to travel at the point of crossing and this order shall not be deemed an authorization for the construction of an opening of said alley to public use across said spur track. Said track shall be so constructed that grades of approach not exceeding three (3) per cent will be feasible, in the event that the construction of an opening of the alley between East 24th Street and East 25th Street across said spur track shall hereafter be authorized and so that said grade crossing may be made safe for the passage thereover of vehicles and other road traffic.
- (4) Said crossing of East 25th Street shall be constructed equal or superior to the type shown as Standard No. 2 in our General Order No. 72, and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the pavement and with grades of approach not exceeding three (3) per cent, and shall be protected by a Standard No. 1 crossing sign, as specified in our General Order No. 75-A.
- (5) No train, engine, motor or car shall be operated over said crossing of East 25th Street (Crossing No. 2W-0.25-C), unless said train, engine, motor or car shall be first brought to a stop and traffic on the highway protected by a member of the train crew or other competent employee acting as flagman.
- (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.

- (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.
- (7) The Commission reserves the right to make such further orders, relative to the location, construction, operation, maintenance and protection of said crossings, 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 19<sup>th</sup> day of April, 1937.

Leon Alford  
James R. Nelson  
Rafael  
Ray C. Kelley

Commissioners.