

Decision No. 29761.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of two spur tracks across Seminole Avenue, in the vicinity of South Gate, County of Los Angeles, State of California.

Application No. 21144.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, on April 22nd, 1937, applied for authority to construct two spur tracks at grade across Seminole Avenue in the vicinity of South Gate, County of Los Angeles, State of California. A certified copy of minute order made by the Board of Supervisors of the County of Los Angeles on April 6th, 1937, directing the preparation and submission of an ordinance granting a franchise for the proposed tracks, is attached to the application. 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 at the points mentioned and that the application should be granted subject to certain conditions;

IT IS HEREBY ORDERED that Southern Pacific Company is hereby authorized to construct two spur tracks at grade across Seminole Avenue, in the vicinity of South Gate, County of Los Angeles, State of California, at the locations more particularly

described in the application and as shown by the map (Drawing B-1385), attached thereto, subject to the following conditions:

- (1) The above crossing of Seminole Avenue shall be identified as a portion of Crossing No. EG-491.2-C.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public, shall be borne by applicant.
- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2, in our General Order No. 72, and shall be constructed without superelevation and of a width to conform to that portion of said avenue 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 two Standard No. 1 crossing signs, as specified in our General Order No. 75-A.
- (4) No train or car shall be operated over said crossing, preceding the engine or motor propelling same, without first having been brought to a stop and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.
- (5) Applicant shall remove the track shown in yellow on the map (Drawing B-1385), attached to the application, in so far as it lies in Seminole Avenue, and shall repair the roadway to conform to the remainder thereof.
- (6) Applicant shall, within ninety (90) days, submit a certified copy of a franchise or permit from the County of Los Angeles for the construction of said crossing at grade and, in the event that this is not done, the authorization herein granted for the installation of said crossing shall then lapse and become void, unless further time is granted by subsequent order.
- (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 10<sup>th</sup> day of May, 1937.

Walter H. ...  
Leon ...  
Frank ...  
Ray & ...  
Commissioners.