

Decision No. 31227.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of LOS ANGELES & SALT LAKE RAILROAD COMPANY and UNION PACIFIC RAILROAD COMPANY for an order authorizing the construction at grade of an industry spur track in and across Cypress Avenue and Future Street and main line track across San Fernando Road and an unnamed alley immediately southwesterly thereof, in the City of Los Angeles, County of Los Angeles, State of California.

Application No. 22112.

ORIGINAL

BY THE COMMISSION:

O R D E R

Los Angeles and Salt Lake Railroad Company and its lessee, Union Pacific Railroad Company, on July 20th, 1938, applied for authority to construct a main line track at grade across San Fernando Road and an unnamed alley immediately southwesterly thereof and a spur track at grade in and across Cypress Avenue and across Future Street. All of the proposed crossings are in the City of Los Angeles.

A temporary permit has been issued by the Board of Public Works of the City of Los Angeles for the construction of the spur track across Future Street and along Cypress Avenue but to date no permit or franchise has been issued for the construction of the crossings of San Fernando Road and the unnamed alley.

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 Los Angeles and Salt Lake Railroad Company and its lessee, Union Pacific Railroad Company, are hereby authorized to construct a main line track at grade across San Fernando Road and an unnamed alley immediately southwesterly thereof, and a spur track at grade in and across Cypress Avenue and across Future Street, in the City of Los Angeles, 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 crossings authorized herein shall be identified as follows:

Cypress Avenue	Crossing No. 3C-4.17-C
Future Street	Crossing No. 3C-4.19-C
San Fernando Road	Crossing No. 3C-5.23
Unnamed alley	Crossing No. 3C-5.18-D

- (2) The entire expense of constructing and thereafter maintaining the crossings in good and first-class condition for the safe and convenient use of the public shall be borne by applicants.
- (3) Crossing No. 3C-4.19-C and Crossing No. 3C-5.23 shall be constructed equal or superior to the type shown as Standard No. 3 in our General Order No. 72. Crossing No. 3C-4.17-C shall be constructed equal or superior to the type shown as Standard No. 2 in our General Order No. 72. All of the crossings shall be constructed without superelevation and of widths to conform to those portions of said streets and avenues now graded, with tops of rails flush with the pavement. Grades of approach shall be as follows:

Crossing No. 3C-4.17-C	- not to exceed 2%;
Crossing No. 3C-4.19-C	- not to exceed 6%;
Crossing No. 3C-5.23	- not to exceed 2%.

- (4) One Standard No. 1 crossing sign, as specified in General Order No. 75-A of this Commission, shall be installed for the protection of the Future Street crossing (No. 3C-4.19-C). Two Standard No. 4 wigwags (side-of-street type), as specified in General Order No. 75-A of this Commission, shall be installed and maintained at the sole expense of applicants, for the protection of the grade crossing of San Fernando Road (No. 3C-5.23).
- (5) This order is made upon the express condition that the unnamed alley 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 track. Said track shall be so constructed that grades of approach not exceeding two (2) per cent will be feasible in the event that the construction of an opening of the unnamed alley across said 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.

- (6) Applicants shall, within one hundred and eighty (180) days, submit a certified copy of a franchise or permit from the City of Los Angeles, for the construction of said crossings at grade and, in the event this is not done, the authorization herein granted for the installation of said crossings shall then lapse and become void, unless further time is granted by subsequent order.
- (7) Applicants shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings and of their compliance with the conditions hereof.
- (8) The authorization herein granted shall lapse and become void if not exercised within one 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 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 27th day of August, 1938.

Ray B. Wakefield
Leon A. Whitely
Frank B. Devlin
Al. L. Riley
Commissioners.