

Decision No. 23459.

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 construction of a crossing at separated grades of the State Highway (Foothill Boulevard) and the tracks of The Atchison, Topeka and Santa Fe Railway, in Azusa, County of Los Angeles, State of California.

ORIGINAL

Application No. 23459.

BY THE COMMISSION:

ORDER

The People of the State of California, on relation of the Department of Public Works, on May 4, 1940, applied for authority to construct a public highway, known as Road VII-LA-9-Azu (Foothill Boulevard), at separated grades under the main line track of The Atchison, Topeka and Santa Fe Railway Company and to alter the existing crossings at Virginia Avenue (Crossing No. 2-117.6), and San Gabriel Avenue (Crossing No. 2-117.0), all in the City of Azusa, County of Los Angeles, State of California.

It appearing that it is in the interest of public convenience, necessity and safety that the undergrade crossing be constructed and that the alterations to the existing crossings be effected, and it further appearing that a public hearing is not necessary herein 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 Road VII-LA-9-Azu (Foothill Boulevard), at separated grades under the main line track of The Atchison, Topeka and Santa Fe Railway

Company, and to alter the existing grade crossings with said tracks at Virginia Avenue and San Gabriel Avenue, all in the City of Azusa, County of Los Angeles, State of California, at the locations more particularly described in the application and substantially in accordance with and as shown by the plan (Exhibit "A"), attached thereto, subject to the following conditions:

- (1) The above crossing of Foothill Boulevard shall be identified as Crossing No. 2-117.3-3.
- (2) The entire expense of constructing the grade separation and reconstructing the existing grade crossings shall be borne by applicant. The maintenance of Crossing No. 2-117.3-3 shall be borne in accordance with an agreement to be entered into between applicant and The Atchison, Topeka and Santa Fe Railway Company, a certified copy of which shall be filed with the Commission within one hundred and eighty (180) days from the date hereof. Should said agreement not be filed within the above time, and further time not granted by subsequent order, said maintenance costs will be apportioned by supplemental order herein. The cost of maintenance of those portions of Crossings Nos. 2-117.6 and 2-117.0 up to lines two (2) feet outside of the rails shall be borne by the City of Azusa. The maintenance of those portions of these crossings between lines two (2) feet outside of the rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company.
- (3) Applicant shall file for approval, within one hundred and eighty (180) days from the date hereof and prior to the commencement of construction, a set of plans for the grade separation at Foothill Boulevard, which plans shall have been approved by the interested parties.
- (4) Said crossing of Foothill Boulevard shall be constructed with clearances conforming to the provisions of the Commission's General Order No. 26-C.
- (5) The crossings of Virginia Avenue and San Gabriel Avenue shall be reconstructed with grades of approach not greater than eight (8) per cent; shall be reconstructed equal or superior to type shown as Standard No. 2 in our General Order No. 72, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic. Protection shall be by existing protective devices.

- (6) During the construction period, the grade crossing of Foothill Boulevard over the temporary shoe-fly track shall be protected by the existing Standard No. 3 wigwag signals at Crossing No. 2-117-3, which signals, if necessary, shall be relocated and reinstalled so as to be readily visible to vehicular traffic.
- (7) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said grade separation, of the alterations of the existing crossings and of its 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.

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

Dated at San Francisco, California, this 4<sup>th</sup> day of June, 1940.

Ray C. Rice  
Frank W. Wynn  
Robert W. Wynn  
John F. Wynn  
Arthur J. Wynn  
Commissioners.