

Decision No. 33228.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC ELECTRIC RAILWAY COMPANY for
authority to exchange right of way
and tracks in Cahuenga Pass on the
Hollywood-Van Nuys Line, and for
exemption from General Order 75-B
as to temporary crossing.

Application No. 23503.

ORIGINAL

BY THE COMMISSION:

O R D E R

In the above entitled proceeding Pacific Electric Railway Company seeks authority to exchange certain parcels of operative property, as described in Exhibit No. 2, attached to the application, and being 2.73 acres in area, together with improvements thereon, for certain parcels of property now owned by the City of Los Angeles, as more particularly described in Exhibit No. 3, attached to the application, and being 1.61 acres in area.

The City of Los Angeles is engaged in constructing the so-called Cahuenga Pass Freeways and, as part of this construction, it is necessary that the Pacific Electric tracks be relocated. Although the area to be conveyed to the city is in excess of that in the new right of way to be received by applicant, it is the proposal of applicant and the City of Los Angeles to have the two properties appraised, after which the City of Los Angeles will pay to applicant any excess in value of applicant's property which may be found by such appraisal.

As a further part of this construction program, it is proposed to open two temporary crossings at grade over the Van Nuys line of applicant, one of which (Crossing No. 6K-10.58), will be

used for the purpose of carrying traffic in one direction, only, across the tracks until the next succeeding portion of the Cahuenga Pass Freeways is built. The other crossing (No. 6K-10.47), is to be built as a substitute roadway across the Van Nuys line of applicant, pending completion of a grade separation which is to be built as a part of this improvement at Barham Boulevard. It is proposed that both of these temporary crossings shall be protected by automatic wigwags of types as shown in the Commission's General Order No. 75-B. Installation of these signals with track circuit control would add substantially to the cost of the proposed improvement and therefore applicant seeks exemption from the requirements of Section VI (e) of the general order, so as to permit their installation with trolley contact control.

It appearing that a public hearing is not necessary herein and that the application should be granted;

IT IS HEREBY ORDERED that applicant is hereby authorized to exchange with the City of Los Angeles those certain parcels of property described in Exhibit No. 2, attached to the application, for those certain parcels of property described in Exhibit No. 3, attached to the application.

IT IS HEREBY FURTHER ORDERED that Pacific Electric Railway Company is hereby exempted from compliance with the provisions of Section VI (e) of General Order No. 75-B, at the following identified temporary grade crossings with applicant's Hollywood-Van Nuys Line - Crossing No. 6K-10.47 and Crossing No. 6K-10.58.

This entire Order is subject to the following conditions:

- (1) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the property exchange herein authorized and of its compliance with the conditions hereof.
- (2) The authorization herein granted shall not be construed as a determination of the valuation

of the property for any purpose other than the exchange herein authorized.

- (3) Upon completion of the Barham Boulevard grade separation and upon its being opened to public use and travel, the temporary grade crossing identified as Crossing No. 6K-10.47 shall be closed and abandoned to public use and travel. Upon completion of further extension of the Cahuenga Pass Freeways beyond the limits of the present contract, the temporary grade crossing identified as Crossing No. 6K-10.53 shall be closed and abandoned to public use and travel.
- (4) 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 18th day of June, 1940.

Ray L. Riey
James D. Walker
Robert J. [unclear]
W. H. [unclear]

Commissioners.