

Decision No. 36121

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
LOS ANGELES & SALT LAKE RAILROAD)
COMPANY and its lessee, UNION PACIFIC)
RAILROAD COMPANY, for an order direct-)
ing the physical closing of crossings)
at grade of three unnamed alleys over)
the tracks of applicants in the city)
of Anaheim, California.)

Application No. 25187

MALCOLM DAVIS, for applicants.

LEO J. FRIIS, city attorney of
Anaheim, protestant.

BY THE COMMISSION:

O P I N I O N

This is an application of Los Angeles & Salt Lake Railroad Company and its lessee, Union Pacific Railroad Company, for an order directing the physical closing at grade of three unnamed alleys over the tracks of applicants in the city of Anaheim.

A public hearing in the matter was held before Examiner Gannon at Anaheim on December 9, 1942.

The three crossings involved herein are designated as MP 3 Y-19.8d, MP 20.12 and MP 20.21. At the hearing the application was amended by the withdrawal of MP 20.12 and MP 20.21 from consideration. We are therefore concerned only with crossing MP 3 Y-19.8d, which is located between Sycamore and Adele Streets, east of Paulina.

It is alleged in the application that this crossing constitutes a hazard to the flow of troop movements and defense

materials along the rail tracks and across said grade crossing.

Applicants' chief witness was the office engineer of Union Pacific Railroad Company, who testified that there existed a distinct danger at the crossing, particularly for vehicles approaching from the west. There are buildings at both sides of the alley within ten feet of the center line of the main tracks, and the view is badly obstructed. Train movements consist of one train each way daily, and the traffic count for a typical day showed only six pedestrians and three automobiles. With the elimination of the crossing, pedestrian and vehicular traffic could avail itself of other crossings, particularly along Sycamore Street, one block to the eastward.

The city engineer of Anaheim testified that the crossing was utilized in the removal of garbage twice a week. Two garages are located on the alley-way, east of the rail tracks, and the testimony showed that access could be had to these buildings without crossing the tracks by using the lots in the rear and out to Adele Street on the south.

Reviewing the record herein, we are led to the conclusion that public convenience and necessity will be best served by the physical closing of the crossing hereinabove described, and the order will so provide.

O R D E R

IT IS HEREBY ORDERED that Los Angeles & Salt Lake Railroad Company and its lessee Union Pacific Railroad Company are authorized to effectively close, until further order of the

Commission, the existing public grade crossing of applicants over an unnamed alley between Sycamore and Adele Streets (Crossing No. 3 Y-19.8d) in the city of Anaheim, California.

The effective date of this order shall be the date hereof.

Dated at ~~San Francisco~~ ^{Los Angeles}, California, this 26th day of January, 1943.

James D. Habener
H. H. Baker
James R. King
COMMISSIONERS