

Decision No. 38399

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
The Atchison, Topeka and Santa Fe
Railway Company, a corporation, for
authority to construct, maintain and
operate a track across a track of
the Southern Pacific Company, near
the intersection of Leeds Avenue and
Grant Street, in Wilmington, a
district within the City of Los
Angeles, in order to connect appli-
cant's track with the Long Beach
track of the Southern Pacific Company.)

Application No. 26947

ORIGINAL

BY THE COMMISSION:

O R D E R

The Atchison, Topeka & Santa Fe Railway Company on September 11, 1945, applied for authority to construct, maintain, and operate a railroad crossing at grade across a track operated by the Southern Pacific Company near the intersection of Leeds Avenue and Grant Street in Wilmington, a district within the City of Los Angeles, California, at the particular location and in the manner shown upon the print of C.E.C.L. Map and Profile No. 417-24393, dated August 14, 1945, attached to the application and by reference made a part thereof.

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 point mentioned; and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct, maintain, and operate a rail crossing at grade near the intersection of Leeds Avenue and Grant Street in Wilmington, a district within the City of Los Angeles, State of California, at the location more particularly described in the application, and as shown upon C.E.C.L. Map and

Profile No. 417-24393, attached thereto and made a part thereof, subject to the following conditions:

- (1) The entire expense of constructing and thereafter maintaining the crossing in first-class condition for safe and convenient railway use, the method of operation, and the allocation of other expenses which may be incurred in connection with the use of the crossing shall be agreed to in writing between the applicant and the Southern Pacific Company, and a certified copy of such agreement shall be filed with the Commission within the nine (9) months after the date of this order.
- (2) Movements over said crossing shall be protected and controlled by the existing Thenard interlocking plant, through additional facilities installed in conformity with the provisions of the Commission's General Order No. 33-B.

This authorization shall become void if not exercised within one (1) year from the date of this order unless time be extended, or if its conditions are not complied with, and may be revoked or modified if public convenience, necessity, or safety so require. This order shall be effective immediately.

Dated at San Francisco, California, this 13th date of November, 1945.

Edward Rubin
Justin F. Cooney
Francis W. Carr

Just H. Russell

COMMISSIONERS