

Decision No. 40058

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of PACIFIC ELECTRIC RAILWAY COMPANY for authority to exchange its right of way and tracks between Barham Boulevard and Vineland Avenue, to establish a grade separation by overhead crossing at Lenkershim Boulevard, and provide a temporary crossing at Willowcrest Avenue, to move present crossing and provide additional crossing at Vineland Avenue, to permit exemption as to overhead clearance under Barham Boulevard, and to abandon team track east of Vineland Avenue and temporary crossing west of Barham Boulevard, all on the Hollywood-Van Nuys Line, in the City of Los Angeles, County of Los Angeles, State of California.

ORIGINAL

Application No. 28089

O P I N I O N

In the above-entitled proceeding Pacific Electric Railway Company seeks authority to exchange its present right of way on its Hollywood-Van Nuys Line between Barham Boulevard and Vineland Avenue to provide for the construction of the remaining segment of the Hollywood Parkway between these limits. As a part of this construction, it is necessary that Pacific Electric tracks be relocated.

By agreement dated December 3, 1946, entered into between the City of Los Angeles and Pacific Electric Railway Company, a copy of which is attached to the application and made a part thereof, the City has agreed to provide for the applicant a private right of way 50 feet in width upon which applicant's double-track railroad will be relocated. In addition the City has agreed to pay to Pacific Electric Railway Company the sum of \$2750, representing the difference in value of the new right of way as compared with the present right of way, in exchange for the railway rights of way outside the new 50-foot strip. This monetary difference is attributable to the fact

that the new right of way will be an easement for exclusive use for railroad and transportation purposes rather than a right of way owned in fee. The agreement also provides for track and overhead facilities on the new location and the installation of crossing signal protection at grade crossings, all at the expense of the City of Los Angeles.

As a further part of this program, the parkway and railway are proposed to be constructed at separated grades above the traffic artery Lankershim Boulevard (present Crossing No. 6K-11.61). To provide a temporary detour during the period of construction, it is proposed to construct a temporary grade crossing at Willowcrest Avenue for Lankershim Boulevard vehicular traffic until completion of the grade separation. Another crossing at grade will result from the intersection of the north roadway of the parkway with Pacific Electric Railway tracks approximately 150 feet east of Vineland Avenue. The grade crossing at Vineland Avenue, Crossing No. 6K-12.09, is proposed to be relocated 100 feet north of its present location. Upon completion of this project, the temporary crossing west of Barham Boulevard at grade (Crossing No. 6K-10.58), authorized by Decision No. 33228 dated June 18, 1940, will be closed in accordance with the provisions of Section (3) of that order.

Applicant's team track immediately east of Vineland Avenue is proposed to be abandoned in connection with this construction. Principal users of this team track have been notified and they have indicated no objection will be made to this proposal.

The City of Los Angeles has filed two condemnation actions in the Superior Court of the State of California as a means of securing the necessary property for use of the freeway (Complaints 514682 and 519303).

It appears that a public hearing is not necessary herein and that the application should be granted, subject to certain conditions.

O R D E R

IT IS HEREBY ORDERED that applicant is hereby authorized:

I. To exchange with the City of Los Angeles those parcels of property outlined in red tinting for the sum of \$2750 and those parcels outlined in blue, as shown on Map M-361 attached to the agreement and application, 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.

II. To shift its tracks from the location shown in solid green upon said Map M-361 to the location shown in broken green thereon.

III. To construct its tracks at separated grades over Lankershim Boulevard at the location shown in broken green on Map M-361. The crossing shall be identified as Crossing No. 6K-11.61-B. Construction shall be in accordance with the provisions of General Order No. 26-C.

IV. To open Willowcrest Avenue across its tracks at grade at the location shown on Map M-361 opposite Willowcrest Avenue, to be identified as Crossing No. 6K-11.69. Construction shall be equal or superior to Standard No. 2 of G.O. No. 72 and of a width of 36 feet, with grades of approach not exceeding 2%. Protection shall be by one Standard No. 1 crossing sign and one

Standard No. 3 wigwag, G.O. No. 75-B. Upon completion of the grade separation at Lankershim Boulevard, Crossing No. 6K-11.61-B and upon its being open to public use and travel, Crossing No. 6K-11.69 shall be closed to public use.

V. To relocate its tracks at Vineland Avenue, Crossing No. 6K-12.09, to the new location shown by the broken line on said Map M-361. Protection at this location shall be by two Standard No. 8 flashing light signals, G.O. No. 75-B.

VI. To construct its two tracks across the northerly roadway of the parkway approximately 150 feet east of Vineland Avenue at the location shown in solid yellow on said Map M-361. Construction shall be equal or superior to Standard No. 2 of G.O. No. 72, without superelevation, with tops of rails flush with roadway. Protection shall be by one Standard No. 8 flashing light signal, G.O. No. 75-B. Permission for the coordination of the crossing signals at Vineland Avenue (Crossing No. 6K-12.09) and the north roadway of the parkway (Crossing No. 6K-12.05) with traffic signals contemplated for installation in this vicinity is granted subject to the submission of a plan for such coordination for the Commission's approval prior to the installation.

VII. To deviate from the provisions of Section VI (e) of G.O. No. 75-B for crossing signals at Crossings Nos. 6K-11.69, 6K-12.05 and 6K-12.09.

VIII. To abandon and remove the team track immediately to the east of Vineland Avenue.

The entire expense of the construction authorized herein shall be borne by the City of Los Angeles in accordance with the

agreement entered into December 5, 1946, between the City of Los Angeles and Pacific Electric Railway Company. Within thirty days after completion of the construction herein authorized, applicant shall notify the Commission thereof.

The authorization herein granted shall lapse and become void if not exercised within two years from the date hereof, unless further time is granted by subsequent order.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, March 17 1947.

Harold H. Huli
Justin J. Green
John H. Russell
A. J. Johnson
Franklin D. Jones
COMMISSIONERS