

is necessary in order that potential patrons of this center may avail themselves of the facilities offered with a minimum of effort.

The record also shows that Sunset Boulevard will eventually connect with California Street to the north and west, and that California Street extends entirely across the southern portion of the City of Pasadena. Sunset Boulevard also extends south of Huntington Drive through county territory and into the Temple City area. Under present day conditions it is not possible to travel from Pasadena via California Street and Sunset Boulevard to Temple City because during the 1938 flood a bridge across the Eaton Wash was destroyed, and also because there is no crossing over the Pacific Electric tracks at Sunset Boulevard. A witness testified that the 1948-1949 budget of Los Angeles County includes an item for the rebuilding of this bridge, and therefore, if affirmative action is taken by the Commission on the City's proposal to open Sunset Boulevard, a through thoroughfare as outlined above will be the result.

Pacific Electric Railway Company has expressed itself as not being opposed to the opening of the new crossing at Sunset Boulevard, provided an existing crossing at Michillinda Avenue (Crossing No. 6B-15.54) be closed, and further provided that Application No. 28747 of the City of Arcadia to construct Golden West Avenue across these same tracks be dismissed. This expression is in direct consonance with a report of the Los Angeles County Grade Crossing Committee dated February 20, 1948, in which similar recommendation was made. (1) The City of Arcadia indicated that it had no desire to press its application for the opening of the crossing at Golden West Avenue and also indicated a willingness that the existing crossing at Michillinda Avenue be closed. Witnesses testified that Michillinda Avenue is 0.14 miles west of the side of the proposed crossing at

(1) It was stipulated by the parties in interest that this report (P.E. No. 409) would be made a part of the record in these proceedings by reference.

Sunset Boulevard, that it is a rough and hazardous crossing, and that there will be no need for its continued existence if and when Sunset Boulevard is opened to public use and travel.

It developed, however, that the east line of Michillinda Avenue is the boundary line between the City of Arcadia and the County of Los Angeles, and that therefore the entire crossing of Michillinda Avenue is in County territory. Although notices of the hearing were sent to the Los Angeles County Board of Supervisors as well as to the Los Angeles County Road Commissioner, no appearances were entered for either of these two parties.

There appears to be no question as to the necessity for a crossing at Sunset Boulevard and the problem therefore becomes a matter of the proper allocation of costs. The city engineer of Arcadia testified that estimates prepared in his office indicated the proposed improvement up to lines two feet outside of the outside rails would involve the expenditure of \$7,500. A witness for Pacific Electric Railway Company submitted an estimate (Exhibit No. 1) showing the cost of work between lines two feet outside the outside rails, including the installation of two Standard No. 8 flashing light signals, to be \$7,480, or a total cost of approximately \$15,000. The Pacific Electric estimate includes an item of \$1,121 for material and \$1,529 for labor in the track area and an item of \$3,473 for the installation of two Standard No. 8 flashing light crossing signals.

This same witness testified that the railway would derive no benefits from the construction of the new crossing as proposed, and that therefore his company should be assessed no portion of the costs except such amount as is included in the item of \$3,743 which covers the installation of track circuit control for the signals in lieu of the trolley contact control such as is now used at the Michillinda Avenue crossing. The Pacific Electric estimate proposes that grooved girder rail and full treated ties be installed in the new crossing

area, and, as has been stated previously, two modern signals be installed in lieu of the single Standard No. 3 signal in place at Michillinda Avenue. We believe that these items are of benefit to the railroad as well as to the city, and that some portion of the costs of such improvements should be borne by the carrier. Girder rail and full treated ties will substantially reduce the costs of maintenance of the crossing, which costs are always assessable to the railroad. Two signals of the more modern type should substantially reduce the hazard of accident, and, upon this premise, Pacific Electric should be required to contribute a portion of the cost of the signals in addition to paying the full costs of the track circuit control. As to that portion of the costs estimated by the city engineer to be \$7,500, covering construction outside the lines two feet outside the outside rails, that is strictly an obligation of the applicant.

Elsewhere in this opinion it has been stated that the construction of the crossing as proposed, plus the rebuilding of the bridge over the Eaton Wash, will provide a means for through travel between county territory on the west and county territory on the south, and it therefore appears that some of the benefits of the proposed construction will inure to the county as well as to the city and to the Pacific Electric Railway Company.

A thorough analysis of the record leads us to the conclusion that the construction of Sunset Boulevard at grade over the tracks of the Pacific Electric as proposed is in the public interest and should be authorized; that the costs of the proposed improvement should be allocated in accordance with the following order; and that the application to construct Golden West Avenue across the Pacific Electric tracks should be dismissed.

O R D E R

Public hearing having been held and the Commission being fully informed in the premises,

IT IS HEREBY ORDERED that the City of Arcadia in the County of Los Angeles, is hereby authorized to construct Sunset Boulevard at grade across the tracks of Pacific Electric Railway Company at the location more particularly described in Application No. 28748 and as shown by the map attached thereto, subject to the following conditions

1. The above crossing shall be identified as Crossing No. 6B-13.68.

2. The crossing shall be constructed of a width of not less than 56 feet and at an angle of 90° to the railroad, with grades of approach not greater than 10%; it shall be constructed equal or superior to the type shown as Standard No. 2 in the Commission's General Order No. 72, protected by two Standard No. 8 crossing signals as specified in General Order No. 75-B, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

3. The expense of constructing the crossing shall be borne on the following basis:

- A. All that portion of the cost outside of lines two feet outside the outside rails shall be borne by the City of Arcadia.
- B. The expense of paving in the track area, estimated to cost \$621, and of relocating the waiting station, estimated to cost \$625, shall be borne by the City of Arcadia.
- C. The cost of the track work as shown in Exhibit No. 1 to be \$2,761, and the remaining costs of installing the two automatic signals (exclusive of the cost of providing track circuit control), shall be borne on the basis of 50% to the City of Arcadia and 50% to Pacific Electric Railway Company.
- D. The entire cost of providing track circuit control for the automatic signals shall be borne by Pacific Electric Railway Company.

- E. The cost of maintenance of that portion of the crossing up to lines two feet outside the outside rails shall be borne by the City of Arcadia.
- F. The maintenance of that portion of the crossing between lines two feet outside of the outside rails shall be borne by Pacific Electric Railway Company.

4. Prior to the beginning of actual construction of the crossing herein authorized, the City of Arcadia shall file with this Commission a certified copy of an appropriate ordinance or resolution duly and regularly passed by the Los Angeles County Board of Supervisors instituting all necessary steps to legally abandon and effectively close the existing public grade crossing at Michillinda Avenue, identified as Crossing No. 6B-13.54. Upon completion of the crossing herein authorized and upon its being opened to public use and travel, said Crossing No. 6B-13.54 shall be legally abandoned and effectively closed to public use and travel.

5. Within thirty days thereafter applicant shall notify the Commission in writing of the completion of the installation of said crossing and of its compliance with the conditions hereof.

6. 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.

7. The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper, and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

IT IS HEREBY FURTHER ORDERED that Application No. 28747 of the City of Arcadia to construct Golden West Avenue at grade across the right of way of Pacific Electric Railway Company be, and it hereby is dismissed.

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

Dated at San Francisco, California, this 5th day of October, 1948.

R. J. [Signature]
[Signature]
[Signature]
[Signature]

COMMISSIONERS