

ORIGINAL

Decision No. 20321

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of

The People of the State of California,
on relation of the Department of Public
Works, Division of Highways, for an
order authorizing the construction of
two overhead crossings over the tracks
of the Southern Pacific Railroad, two
miles East of Auburn, Placer County,
California.

Application No. 14914.

BY THE COMMISSION:

O R D E R

The Department of Public Works, Division of Highways, of the State of California, filed the above entitled application with this Commission on the 24th day of July, 1928, asking for authority to construct a public road, designated as Road III - Pla.-37-A, over the tracks of the Southern Pacific Company in the vicinity of Bowman Station, County of Placer, State of California. The Eastbound and Westbound tracks of the Southern Pacific Company at this location are separated by a distance of approximately five hundred (500) feet which necessitates the construction of two viaducts in order to separate the grades.

Said Southern Pacific Company has signified by letter that it has no objection to the construction of said overgrade crossings and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary, and that this application should be granted, subject to the conditions hereinafter specified, therefore,

IT IS HEREBY ORDERED, that permission and authority be, and it is, hereby granted to the People of the State of California, on relation of the Department of Public Works, Division of Highways, to construct two viaducts carrying the highway over the westbound and Eastbound tracks of the Southern Pacific Company in the vicinity of Bowman Station, County of Placer, State of California, at the locations and substantially in accordance with the plans (Exhibits "A" and "B") attached to the application.

The above overgrade crossings shall be identified as Crossing Nos. A-127.8-A and A1-128.6-A respectively.

Said overgrade crossings shall be constructed subject to the following conditions and not otherwise:

(1) Said overgrade crossings shall be constructed substantially in accordance with applicants Exhibits "A" and "B" and specifically in accordance with detailed plans duly approved by applicant and Southern Pacific Company, said plans to be submitted to this Commission for its approval within ninety (90) days from the date of this order.

(2) Said overgrade crossings shall be constructed with clearances conforming to the provisions of Commission's General Orders No. 26-C and No. 64.

(3) The manner and cost of construction and maintenance of said overgrade crossings shall be borne in accordance with the terms of an agreement hereinafter to be entered into by the interested parties, and filed with this Commission for its approval within ninety (90) days from the date hereof, or, in the event of failure of the interested parties to reach such agreement within such time, said cost of construction and maintenance shall be borne in

accordance with the terms of a supplemental order herein by this Commission.

(4) The existing public overgrade crossings of Road III - Pla.-37-A located immediately west of the overgrade crossings authorized herein and designated as Crossing Nos. A-127.8-A and A1-128.5-A, shall be removed upon the completion of the overgrade crossings authorized herein.

(5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said overgrade crossings.

(6) If said overgrade crossings shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, 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 overgrade crossings as to it may seem right and proper and to revoke its permission, if, in its judgment, the public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 11th day of October, 1928.

Ch. Leung

Thos. D. Lewis

W. J. Carr

Commissioners.