

ORIGINAL

Decision No. 20495 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
 The People of the State of California,
 acting by and through the Department
 of Public Works, Division of Highways,
 for an order authorizing the construc-
 tion of overhead crossing over the tracks
 of The Atchison, Topeka and Santa Fe
 Railway, at Irvine, Orange County,
 California.

Application No. 15172.

BY THE COMMISSION:

O R D E R

The Department of Public Works, Division of Highways, filed the above-entitled application with this Commission on the first day of November, 1928, asking for authority to construct a public highway over the tracks of The Atchison, Topeka and Santa Fe Railway, at Irvine, Orange County, California, as hereinafter set forth. Said The Atchison, Topeka and Santa Fe Railway Company has signified by letter that it has no objection to the construction of said overgrade crossing, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is in the interest of public convenience and necessity that the overgrade crossing be constructed; that an agreement has been entered into between the interested parties relative to division of cost of construction and maintenance of said separated grades; and that this application should be granted, subject to the conditions hereinafter specified, therefore,

IT IS HEREBY ORDERED, that the People of the State of California, on relation of the Department of Public Works, Division of Highways, and The Atchison, Topeka and Santa Fe Railway Company be, and they are hereby authorized to construct an overgrade crossing over the tracks of The Atchison, Topeka and Santa Fe Railway at Irvine, Orange County, California, substantially in accordance with the plan marked "Exhibit A" attached to the application, said crossing being located at the intersection of main line of The Atchison, Topeka and Santa Fe Railway and the State Highway, designated by said Department of Public Works as VII-Ora-2-B and as shown by the map (Exhibit "A") attached to the application.

Said separated grade crossing shall be identified as Crossing No. 2-183.2-A and shall be constructed subject to the following conditions, namely:

1. Said crossing shall be constructed substantially in accordance with plan marked "Exhibit A" attached to the application and specifically in accordance with detailed plans to be filed with this Commission within one hundred and twenty (120) days from the date hereof.
2. The cost of construction and maintenance of said overgrade crossing shall be borne specifically in accordance with terms of an agreement heretofore entered into between the interested parties, and attached to the application as "Exhibit B," which agreement is hereby approved.
3. Said overgrade crossing shall be constructed with clearances conforming to the provisions of Commission's General Order No. 26-C and No. 64.
4. Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the in-

stallation of said overgrade crossing.

(5) If said overgrade crossing 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.

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

Dated at San Francisco, California, this 16th day of November, 1928.

Chase

Frederick

Thos. J. Lott

M. A. Cum
Commissioners