

Decision No. 20790**ORIGINAL**

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 closing
and abandonment of grade crossing above
one mile south of recently completed
overhead crossing over the tracks of
The Atchison, Topeka and Santa Fe Railroad,
near Galivan, Orange County, California.

Application No. 15353.

BY THE COMMISSION:

ORDER

The People of the State of California, acting by and through the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 25th day of January, 1928, asking for authority to abandon and close the existing grade crossing of the state highway over the tracks of The Atchison, Topeka and Santa Fe Railway Company, Crossing No. 2-192.4; in the vicinity of Galivan, County of Orange, State of California.

The Commission issued its Decision No. 18438, dated June 1, 1927, in Application No. 13751, which granted said applicant permission to construct an overhead crossing approximately six-tenths(0.6) of a mile north of the grade crossing proposed to be abandoned.

Applicant alleges that the said overhead crossing has been completed; that the overhead crossing is now used by the traffic in place of the grade crossing proposed herein to be abandoned, and that said grade crossing constitutes a danger to life and traffic.

The Atchison, Topeka and Santa Fe Railway Company and the County of Orange have signified by letter that they have no objection

to the abandonment of said grade 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 public interest that the said grade crossing be abandoned and closed and that this application should be granted, subject to the conditions hereinafter specified, therefore

IT IS HEREBY ORDERED that permission and authority be and the same is hereby granted to the People of the State of California acting by and through the Department of Public Works, Division of Highways, to legally abandon and effectively close the grade crossing, Crossing No. 2-192.4, of the State Highway over the tracks of The Atchison, Topeka and Santa Fe Railway Company, in the vicinity of Galivan, County of Orange, State of California, subject however to the following conditions:

(1) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the abandonment and closing of said crossing.

(2) If said crossing shall not have been abandoned and closed 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 18th day of February, 1929.

John S. ...
Channing
...
Leon ...

Commissioners.