

Decision No. 21521.

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 Pub-
lic Works, Division of Highways, for
an order authorizing the construction
of a subway under the tracks of the
Southern Pacific Railroad at Califa,
in Madera County.

Application 15,778.

ORIGINAL

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 5th day of July, 1929, asking for authority to construct a state highway at separated grades under the tracks of the Southern Pacific Company in the vicinity of Southern Pacific Company's Station Califa, in Madera County, State of California.

The Southern Pacific Company has signified, by letter, that it offers no objection to the granting of this application, and that it has agreed with applicant concerning the division of cost of said undergrade crossing.

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 undergrade crossing be constructed, and that authority for said crossing 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, be and it is hereby authorized to construct an undergrade crossing under the tracks of the Southern Pacific Company in the vicinity of Southern Pacific Company's Station Califa, Madera County, California, substantially in accordance with the plan and profile of proposed highway undergrade crossing attached to the application in the above entitled matter, and marked Exhibit "A", said undergrade crossing to be constructed at a location designated by said Department of Public Works, Division of Highways for the purpose of identification as Road VI-Mad-4-C, Station 580+65.57.

The above crossing shall be identified as Crossing No. B-171.8B.

Said undergrade crossing shall be constructed subject to the following conditions, namely:

(1) Said undergrade crossing shall be constructed, except as hereinafter specified, substantially in accordance with the plan and profile of proposed undergrade crossing attached to the application, and marked Exhibit "A", but specifically in accordance with the plan to be filed with the Commission before work is started.

(2) Said crossing shall be constructed with clearances conforming to provisions of the Commission's General Order No. 26-C.

(3) The cost of construction and maintenance of said crossing shall be borne in accordance with an agreement to be hereinafter entered into by the interested parties, a certified copy of which shall be filed with the Commission within ninety (90) days from the date of this order.

Said agreement shall be subject to the approval of this Commission. In the event the interested parties fail to file said agreement with the Commission within ninety (90) days, as above provided, the Commission shall apportion said cost by supplemental order herein.

(4) Applicant shall within thirty (30) days thereafter notify this Commission, in writing, of the completion of the construction of said crossing.

(5) Upon the completion of the undergrade crossing above authorized, the existing grade crossing of said state highway across the tracks of the Southern Pacific Company, located near the Southern Pacific Company's Station Califa, and identified as Crossing No. B-171.9, shall be legally abandoned and effectively closed to public use and travel.

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

Dated at San Francisco, California, this 5th day of September, 1929.

Thos D. Lott

C. Seaneij

M. J. Carr

Commissioners.