

ORIGINAL

Decision No. 93220.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of the City of Sacramento for an
order authorizing a subway under
the tracks of the Southern Pacific
Company on the "H" Street Road,
just beyond the limits of the City
of Sacramento.

Application No. 17076.

BY THE COMMISSION:

ORDER

The City of Sacramento, on December 24, 1930, applied for authority to construct "H" Street at separated grades under the tracks of Southern Pacific Company in the City of Sacramento, County of Sacramento, State of California. Southern Pacific Company, on January 12, 1931, signified, in writing, that it has no objection to the construction of said undergrade crossing.

It appearing that a hearing is not necessary herein; that it is in the interest of public convenience and necessity that the undergrade crossing be constructed and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the City of Sacramento is hereby authorized to construct a public street known as "H" Street at separated grades under the tracks of Southern Pacific

Company in the City of Sacramento, County of Sacramento, State of California, at the location particularly described in the form of agreement attached to the application and substantially in accordance with and as shown by the detail plans (Drawings Nos. 1 to 5, inclusive, and Drawing No. J-190-A) attached to the application, subject to the following conditions:

- (1) The above crossing shall be designated as Crossing No. D-134.5-B.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for the safe and convenient use of the public shall be borne substantially in accordance with the terms as specified in the form of agreement attached to the application. A certified copy of such agreement shall be filed for the Commission's approval within ninety (90) days after the date hereof.
- (3) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (4) Upon the completion and opening to traffic of said undergrade crossing, the existing crossing at grade of "H" Street, adjacent to said undergrade crossing, shall be legally abandoned and effectively closed to public use and travel.
- (5) Applicant shall, within thirty (30) days, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (6) The authority herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, 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 26th day of January, 1931.

Cl. Seaming
Fred G. Stewart
M. A. Carr
W. B. Harris
Fred G. Stewart
 Commissioners.