

Decision No. 23551.

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
an overhead crossing over the tracks of
the Atchison, Topeka & Santa Fe Railway
at Bradley, about 2½ miles east of
Merced, Merced County.

ORIGINAL

Application No. 17188.

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, on February 7, 1931, applied for authority to construct a State Highway, known as Road VI-Mer-18-A, at separated grades above the track of The Atchison, Topeka and Santa Fe Railway Company at Bradley, about two and one-half miles east of Merced, Merced County, and on March 16, 1931, filed an amendment to said application. The Atchison, Topeka and Santa Fe Railway Company, on March 18, 1931, signified in writing that it has no objection to the construction of said overgrade crossing. It appearing that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity that the overgrade crossing be constructed and that the application should be granted, subject to certain conditions:

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, Division of Highways, are hereby authorized to construct a State Highway, known as Road VI-Mer-18-A, at separated grades above the track of

The Atchison, Topeka and Santa Fe Railway Company in the vicinity of Bradley, County of Merced, State of California, at the location as shown by the map (Exhibit "A") attached to the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. 2-1054.0-A.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne in accordance with an agreement to be filed with this Commission and subject to its approval, a certified copy of which shall be filed within ninety (90) days after the date hereof. Should said agreement not be filed within the above time and further time not be granted by subsequent order, said costs will be apportioned by supplemental order herein.
- (3) Applicant shall file, within ninety (90) days from the date hereof and prior to the commencement of construction, a set of plans for said crossing, which plans shall bear the approval of applicant and The Atchison, Topeka and Santa Fe Railway Company.
- (4) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (5) A temporary crossing at grade shall be constructed at a location approximately one-half (1/2) mile east of the grade separation herein authorized to care for traffic during construction. Upon the completion of construction of said grade separation, said temporary crossing at grade shall be legally abandoned and effectively closed to traffic.
- (6) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (7) The authorization herein granted shall lapse and

became 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 3rd day
of March, 1931.

C. Searns
Leon White
W. H. Lee
M. B. Harris
Fred G. Stewart
Commissioners.