

Decision No. 20740.

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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, for an order authorizing
construction of a crossing of the
State highway and the tracks of the
Southern Pacific Railroad at separated
grades, at a point approximately three
miles north of the City of Ventura, in
Ventura County, California.

Application No. 19222.

BY THE COMMISSION:

ORDER

The People of the State of California, on relation of the Department of Public Works, Division of Highways, on December 9, 1933, applied for authority to construct State Highway known as Road VII-Ventura-2-D at separated grades over the Main Line track of Southern Pacific Company, approximately three miles north of Ventura, County of Ventura, State of California. Southern Pacific Company, on January 2, 1934, signified, in writing, that it has no objection to the construction of said overgrade crossing. The proposed overhead crossing will replace an existing subway on the Coast Highway (Route 2), located approximately two miles north of Ventura (Crossing No. E-395.6-B), which has unsatisfactory and hazardous approach curves.

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, is hereby authorized to construct State Highway known as Road VII-Ventura-2-D at separated grades over the Main Line track of Southern Pacific Company, at a point about three miles north of Ventura, County of Ventura, State of California, at the location as shown by the plan (Exhibit "A") attached to the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. E-394.8-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 entered into between applicant and Southern Pacific Company, a certified copy of which shall be filed with this Commission within one hundred and twenty (120) days from the date hereof. Should said agreement not be filed within the above mentioned period and further time be not granted by subsequent order, said costs will be apportioned by supplemental order herein.
- (3) Applicant shall file, for approval, within one hundred and twenty (120) days from the date hereof and prior to the commencement of construction, a set of plans for said crossing, which plans shall have been approved by the Southern Pacific Company.
- (4) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (5) Prior to actual construction of the separation herein authorized, applicant shall file with this Commission a certified copy of an appropriate ordinance or resolution, duly and regularly passed, instituting necessary steps to legally abandon and effectively close the existing State Highway grade separation, located approximately one mile south of the separation herein authorized (Crossing No. E-395.6-B). Upon the completion of the separation herein authorized and upon its being opened to public use and travel, said Crossing No. E-395.6-B shall be legally abandoned and effectively closed to public use and travel.

(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 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 22nd day of January, 1934.

C. J. Seney
Leon Whittell
W. A. ...
M. B. ...
M. ...

Commissioners.