

Decision No. 28866

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 the construction of a crossing at separated grades of the State highway and a spur track of the Southern Pacific Company serving the Hercules Powder Company on Foothill Boulevard, near the northerly city limits of the City of Los Angeles, Los Angeles County, California.

Application No. 19288.

ORIGINAL

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on January 29, 1934, applied for authority to construct a State highway known as Road VII-LA-157-LA, at separated grades over the spur track of Southern Pacific Company serving the Hercules Powder Company in the vicinity of Newhall Tunnel, near the northerly limits of the City of Los Angeles, County of Los Angeles, State of California. Southern Pacific Company, on February 10, 1934, 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, are hereby authorized to construct a State highway known as Road VII-LA-157-LA at separated grades over the spur track of Southern

Pacific Company serving the Hercules Powder Company in the vicinity of Newhall Tunnel near the northerly limits of the City of Los Angeles, County of Los Angeles, State of California, substantially in accordance with and 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. B-457.0-AC.
- (2) The entire expense of constructing the crossing, including track changes, shall be borne by applicant. The cost of maintenance of the structure shall thereafter be borne by applicant. The maintenance of the track through the structure shall be borne by Southern Pacific Company. Applicant shall file for the approval of the Commission, within one hundred and twenty (120) days from the date of this Order, a copy of an agreement entered into between applicant and Southern Pacific Company covering the terms of the cost of construction and maintenance of said crossing.
- (3) Applicant shall file, 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 interested parties.
- (4) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (5) 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.
- (6) 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 12th day
of March, 1934.

C. C. Leary
Leon Whitely
W. J. C.
W. B. Jones

Commissioners.