

ORIGINAL

Decision No. 28286.

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 the tracks of the Southern Pacific Railroad near El Cerrito Hill, in the City of Albany, County of Alameda, State of California.

Application No. 20167.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on October 8th, 1935, applied for authority to construct a public highway known as Road IV-Ala-69-Alb., at separated grades over the main line tracks of Southern Pacific Company (near El Cerrito Hill) in the City of Albany, County of Alameda, State of California. Southern Pacific Company, on October 15th, 1935, signified, in writing, that it has no objection to the construction of said overgrade crossings. It appearing that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity that the overgrade crossings 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 public highway known as Road IV-Ala-69-Alb, at separated grade over the main line tracks of Southern Pacific Company (near El Cerrito Hill) in the City of Albany, County of Alameda, State of California, at

the location as shown by the plan (Exhibit A) attached to the application, subject to the following conditions:

- (1) The crossing over the main line shall be identified as Crossing No. A-10.8-A and the crossing over the drill track shall be identified as Crossing No. A-10.8-AC. item
- (2) The entire expense of constructing the crossings in good and first-class condition for safe and convenient use of the public shall be borne by applicant. The maintenance of the structure, paving and supporting piers or columns shall be borne by applicant. The maintenance of the tracks and appurtenances thereto shall be borne by Southern Pacific Company.
- (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 crossings, showing clearances, which plans shall have been approved by Southern Pacific Company.
- (4) Said crossings 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 crossings 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 17th day of October, 1935.

M. B. Quinn

O. J. [Signature]

Commissioners.