

ORIGINAL

Decision No. 28362.

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 Atchison, Topeka and Santa Fe Railway Company at Hobart, Los Angeles County, California.

Application No. 20209.

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 26, 1935, applied for authority to construct a public highway known as Road VII-LA-167-A, at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company at Hobart, County of Los Angeles, State of California. The Atchison, Topeka and Santa Fe Railway Company, on November 1, 1935, signified in writing, that it had no objection to the construction of said undergrade crossing.

It appearing that a public 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,

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 VII-LA-167-A at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company at Hobart, County of Los

Angeles, State of California, at the location 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. 2-146.6-B.
- (2) The entire expense of constructing the crossing in good and first-class condition for safe and convenient use of the public shall be borne by applicant. The maintenance of that portion of the structure below the base of the bridge seats, the approaches, the paving and drainage shall be borne by applicant. The maintenance of that portion of the structure above the base of the bridge seats, the tracks and appurtenances thereto shall be maintained by The Atchison, Topeka and Santa Fe Railway Company.
- (3) Applicant shall, within six (6) months from the date hereof, file with this Commission certified copy or copies of agreement or agreements entered into between the parties covering the terms of construction and maintenance of said grade separation, unless further time is granted by subsequent order.
- (4) 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 interested parties.
- (5) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (6) During the construction of said grade separation, applicant may relocate the grade crossing adjacent thereto (Crossing No. 2-146.6), so as to provide a detour for vehicular and other road traffic. Upon the completion of the grade separation herein authorized and upon its being opened to public use and travel, applicant shall legally abandon and effectively barricade and close to public use and travel the grade crossing identified as Crossing No. 2-146.6 located adjacent to the crossing herein authorized. The Atchison, Topeka and Santa Fe Railway Company shall immediately thereafter perform all the work and assume all expense in connection with physically abolishing said grade crossing, including construction of any right of way fences.

- (7) 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.
- (8) 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 15th day of November, 1935.

Leon O'Connell  
M. A. Cunn  
W. H. ...  
John ...

Commissioners.