

Decision No. 28372.

ORIGINAL

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 con-
struction of a crossing at separated
grades of the State highway and the
tracks of the Southern Pacific Railroad,
near Soledad, in the County of Monterey,
State of California.

Application No. 20217.

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 29, 1935, applied for authority to construct a public highway known as Road V-Mon-2-D, at separated grades under the main line tracks of Southern Pacific Company near Soledad, County of Monterey, State of California. Southern Pacific Company, on November 8, 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 V-Mon-2-D at separated grades under the main line tracks of Southern Pacific Company near Soledad, County of Monterey, 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-144.1-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 the structure below the base of the bridge seats, the approaches, pavement, lighting and drainage shall be borne by applicant. The maintenance of the structure above the base of the bridge seats, and the track and appurtenances thereto shall be borne by Southern Pacific 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 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 showing clearances, alignment and grades of approach, which plans shall have been approved by Southern Pacific Company.
- (5) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (6) The existing crossing at grade (Crossing No. E-144.1) may be relocated or altered to be used as a detour during the construction of the crossing herein authorized. Said relocated Crossing No. E-144.1 shall be protected by two (2) Standard No. 3 wigwags, as prescribed in our General Order No. 75-A.
- (7) 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 said Crossing No. E-144.1. Southern Pacific Company shall immediately thereafter perform all the work and assume all expense in connection with physically abolishing said grade crossing, including the erection of any right of way fences.
- (8) 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.

- (9) 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.

M. J. Cur
M. B. Davis
M. J. Davis
W. J. Davis
Commissioners.