

Decision No. 29650.

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 Pub-
lic Works, for an order authorizing
construction of a crossing at separated
grades of the State highway and the
tracks of The Atchison, Topeka and
Santa Fe Railway, near San Onofre, in
San Diego County, California.

Application No. 21059.

BY THE COMMISSION:

ORDER

ORIGINAL

The People of the State of California, on relation of the Department of Public Works, on March 10th, 1937, applied for authority to construct a public highway, known as Road XI-S.D.-2-D, at separated grades over the main line track of The Atchison, Topeka and Santa Fe Railway Company at a point 0.75 miles south of San Onofre, in the County of San Diego. The Atchison, Topeka and Santa Fe Railway Company has 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;

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 XI-S.D.-2-D, at separated grades over the main track of The Atchison, Topeka and Santa Fe Railway Company, in the vicinity of San Onofre, County of San Diego, State of California, at the location more particularly described in the application and substantially in accordance with and as shown by the plan attached thereto, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. 2-209.5-A.
- (2) The entire expense of constructing the crossing shall be borne by applicant.
- (3) The maintenance of said structure shall be borne in accordance with the terms of an agreement to be entered into by applicant and The Atchison, Topeka and Santa Fe Railway Company, a copy of which shall be filed with this Commission within ninety (90) days from the date hereof.
- (4) Prior to the commencement of construction, applicant shall file with the Commission a plan for said structure, showing clearances and roadway widths, which plan shall have been approved by the interested parties.
- (5) Said crossing shall be constructed with clearances conforming to the provisions of General Order No. 26-C of this Commission.
- (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 5th day of April, 1937.

Walter H. Mason
Leon J. Whittell
Harry K. Whittell
Raymond H. Whittell
W. J. Whittell
Commissioners.