

Decision No. 30508.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

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 construction of a crossing at separated grades of the State highway and the tracks of Southern Pacific Railroad, Niles-San Jose Line (DA), near San Jose, in Santa Clara County, State of California.

Application No. 21639.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, are authorized to construct State Highway Route 68 (Road IV - SCl-68-B) at separated grades under the tracks of Southern Pacific Company's Niles-San Jose line, near San Jose, Santa Clara County, California, at the location as shown by map (Exhibit "A") attached to the application, to be identified as Crossing No. DA-44.9-B..

Applicant shall bear construction expense, and shall bear maintenance expense of structure and paving below base of bridge seats. Southern Pacific Company shall bear maintenance expense above base of bridge seats. Applicant shall file with this Commission, within one hundred and twenty (120) days: (1) a copy of an agreement entered into between the parties relative to construction and maintenance of said crossing, and (2) plans of said crossing approved by Southern Pacific Company. Clearances shall conform to General Order No. 26-C.

Upon completion, Crossing No. DA-44.9, located at site of grade separation authorized herein, shall be abandoned and closed. Within thirty (30) days after completion pursuant to this Order, applicant shall so advise the Commission in writing.

This authorization shall become void if not exercised within one (1) year (unless time be extended), or if above conditions are not complied with.

This Order shall be effective immediately.

Dated at San Francisco, California, this 10th day of January, 1938.

Walter H. ...
Leon ...
John R. ...
Robert ...
Walter ...
Commissioners