

Decision No. 32275

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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|----------------------------------------------------|---------------|
| In the Matter of the Application of UNION PACIFIC) | |
| RAILROAD COMPANY, a corporation, and SOUTHERN |) |
| PACIFIC COMPANY, a corporation, for an order |) |
| requiring the physical closing of Cypress Avenue, |) Application |
| in the City of Pomona, California, across the |) No. 22579 |
| tracks of Southern Pacific Company, and for |) |
| authority to change the form of crossing pro- |) |
| tection at the crossing of certain streets in |) |
| said city over the tracks of applicants. |) |

BY THE COMMISSION:

SECOND SUPPLEMENTAL ORDER

The Commission, by Decision No. 31998, issued May 16, 1939, having ordered the closing of the public crossing of Cypress Avenue in the City of Pomona, over the tracks of Southern Pacific Company (Crossing No. B-513.92) and Union Pacific Railroad Company (Crossing No. 3-31.6), and by Supplemental Order No. 32087 issued June 13, 1939, having in certain respects amended said Decision No. 31998; and having received from the City of Pomona a petition for the further amendment of said decision; and good cause appearing:

IT IS HEREBY ORDERED that said Supplemental Decision No. 32087 is hereby cancelled and set aside, and that said Decision No. 31998 be and hereby is amended by changing the first ordering paragraph thereof to read as follows:

IT IS HEREBY ORDERED that the existing public crossing at grade of Cypress Avenue, in the City of Pomona, over the tracks of Southern Pacific Company (Crossing No. B-513.92) and Union Pacific Railroad Company (Crossing No. 3-31.6), as more particularly delineated and described in the application herein, be abolished by the physical closing thereof and be effectively closed to public use, and that Southern Pacific Company and Union Pacific Railroad Company install and maintain, at their own cost and expense, such suitable physical barriers as will prevent the public use of said crossing area in Cypress Avenue, as described in the application;

and IT IS HEREBY FURTHER ORDERED that the City of Pomona do any and all things legally necessary to authorize and permit the physical abandonment and closing of said crossing area in Cypress Avenue to the public use.

In all other respects said Decision No. 31998 shall remain in full force and effect.

Dated at San Francisco, California, this 19th day of August, 1939.

Raymond
Donald R. Davis

Justin J. Calver
Commissioners