

Decision No. 39599

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 construc-
tion of a crossing at separated grades
of the State highway and certain tracks
of the Southern Pacific Company (Kaiser
Spur) near Ontario, in the County of San
Bernardino, State of California

Application
No. 27793

O R D E R

The Department of Public Works of the State of California is authorized to construct a crossing at separated grades of State Highway Route 26 over a spur track operated by Southern Pacific Company (sometimes referred to as the "Kaiser Spur") at a point approximately eight miles east of the City of Ontario in the County of San Bernardino, said separation to be designated as the Kaiser Overhead. The crossing shall be constructed at the location as shown by the map (Exhibit A) attached to the application, and the eastbound lane shall be identified as Crossing No. B-528.35-C and the westbound lane as Crossing No. B-528.38-C. Construction and maintenance expense shall be borne in accordance with an agreement entered into between the parties relative to the construction and maintenance of said crossing, and copy of said agreement, together with plans of said crossing approved by Southern Pacific Company, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

Within thirty 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 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 4th day of November, 1946.

Harold P. Kule
Justin F. Calver
Frank Brown
Earl P. Lewis
A. J. Anderson
Commissioners