

ORIGINALDecision No. 54886

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF COLTON)
 and THE ATCHISON, TOPEKA AND)
 SANTA FE RAILWAY COMPANY, a)
 corporation, for an order author-)
 izing the construction of a grade)
 separation at the intersection)
 of "C" Street in the City of)
 Colton and the railroad lines)
 of The Atchison, Topeka and)
 Santa Fe Railway Company, and)
 for an order authorizing the)
 closing of the portion of Mill)
 Street in the City of Colton.)

Application No. 38620

ORDER

The City of Colton and The Atchison, Topeka and Santa Fe Railway Company are authorized to construct "C" Street in the City of Colton at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company, in the manner described in the application and at the location as shown on Exhibit "B" attached thereto, to be identified as Crossing No. 2B-2.6-B, subject to the following conditions:

- (a) Construction and maintenance expenses shall be borne in accordance with an agreement dated May 24, 1955, entered into between the two parties, and a copy of said executed agreement shall be filed with the Commission within ninety days after the effective date of this order.
- (b) Mill Street (Crossing No. 2B-1.3), temporarily closed during and subsequent to World War II, shall, in so far as it lies within the City of Colton, be abandoned and closed to public use.

- (c) Prior to or concurrently with the completion of the "C" Street underpass and its being opened to public use, the grade crossings at "C" Street and "D" Street (Crossings Nos. 2B-2.6 and 2B-2.7) shall be abandoned and closed and pavement within the right-of-way areas removed.
- (d) The existing Standard No. 3 wigwag at "C" Street (Crossing No. 2B-2.6) shall be relocated to protect "E" Street (Crossing No. 2B-2.8) at railway expense, and a second such signal shall be installed by the railway at "E" Street in accordance with the requirements of the Commission's General Order No. 75-B.
- (e) The railway, at its own expense, shall bear the additional cost of the separation structure attributable to the increase in the size of that structure made necessary by the provision for the future fifth track thereon. In the event the parties cannot agree upon such additional cost, the Commission will determine the amount by future 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 two years, unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

Applicant city declares that, with the bonds for its portion of the expense having been sold and drawing interest at city expense, it is desirous of immediately proceeding with the construction and has requested waiver

of the usual 20-day waiting period. The effective date of this order is therefore the date hereof.

Dated at San Francisco, California, this 22nd day of APRIL, 1957.

E. N. ... President
Raymond ...
...

Commissioners