

Decision No. 56173**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of
 California, Department of Public
 Works, for an order authorizing
 construction of a crossing at
 separated grades over the tracks
 of The Atchison, Topeka and Santa
 Fe Railway Company in connection
 with improvement of State Route
 VII-Ora-2-B, in Orange County,
 sometimes referred to as "El Toro
 Overhead".

Application No. 38924

ORDER

The Department of Public Works of the State of California is authorized to construct State Route 2 (U. S. Highway 101) at separated grades over the main line tracks of The Atchison, Topeka and Santa Fe Railway Company in the County of Orange, in the manner described in Exhibit "A" and as shown on maps, Exhibit "B", attached to the application, to be identified as Crossing No. 2-190.5-A. Construction and maintenance expense shall be borne in accordance with an agreement to be entered into between applicant and The Atchison, Topeka and Santa Fe Railway Company, and a copy of said executed agreement 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 of the crossing pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire 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.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 28th day of January, 1958.

[Signature]
President
[Signature]
[Signature]
[Signature]
Commissioners