

**ORIGINAL**Decision No. 72160

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF HAYWARD  
for an order authorizing construction  
of a crossing at separated grades  
between Harder Road and the track of  
The Western Pacific Railroad Company,  
and for the closure of existing  
crossing of Berry Avenue No. 4-21.5  
at The Western Pacific Railroad.

Application No. 48661  
(Filed July 26, 1966)

O R D E R

The City of Hayward is hereby authorized to construct a crossing at separated grades of Harder Road under the track of The Western Pacific Railroad Company in the City of Hayward, Alameda County, at the location and substantially as shown by plans (Exhibits A and B) attached to the application to be identified as Crossing No. 4-21.9-B. Also, the City of Hayward is hereby authorized to construct a temporary detour crossing at grade to be used only during the period of construction of the grade separation, approximately 150 feet northerly of the existing Harder Road crossing (No. 4-21.9), to be identified as Crossing No. 4-21.8. Protection at the temporary crossing shall be by two Standard No. 8 crossing signals (General Order No. 75-B). Width of the temporary crossing shall be not less than 24 feet and grades of approach not greater than four percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Upon opening of the temporary crossing, the existing Crossing No. 4-21.9 shall be closed to public use and travel.

Construction and maintenance expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto and a copy of said agreement, together with plans of said crossings approved by The Western Pacific Railroad Company, shall be filed with the Commission within 180 days from the date hereof.

Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order. Clearances shall conform to the provisions of General Order No. 26-D.

Upon completion of the underpass structure the temporary Harder Road Grade Crossing No. 4-21.8 and the Berry Avenue Grade Crossing No. 4-21.5 located approximately 2,000 feet northerly of the underpass authorized herein, shall be abandoned and closed to public use and travel.

This project was assigned Priority No. 13 by Decision No. 71701 in Case No. 8496 dated December 13, 1966, which established the 1967 Grade Separation List pursuant to Section 189 of the Streets and Highways Code.

Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within three years unless time be extended or if conditions are not complied with. The effective date of this order shall be 20 days after the date hereof.

Dated at San Francisco, California, this 14th day of MARCH, 1967.

[Signature]  
President

[Signature]

[Signature]

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Commissioners