

ORIGINALDecision No. 72161

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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| Application of the CITY OF HAYWARD |) | |
| for an order authorizing construction |) | |
| of a crossing at separated grades |) | |
| between Orchard Avenue and the track |) | Application No. 48660 |
| of The Western Pacific Railroad Company, |) | (Filed July 26, 1966) |
| and the closure of existing crossings |) | |
| at Orchard Avenue No. 4-21.3 and at |) | |
| Sycamore Avenue, Crossing No. 4-21.0. |) | |

O R D E R

The City of Hayward is hereby authorized to construct a crossing at separated grades of Orchard Avenue 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. 4-21.3-B.

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 crossing 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 Orchard Avenue Grade Crossing No. 4-21.3 and the Sycamore Avenue Grade Crossing No. 4-21.0 located 1,500 feet north of the underpass authorized herein, shall be abandoned and closed to public use and travel.

This project was assigned Priority No. 17 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 twenty days after date hereof.

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

John E. Mitchell
 President

William J. ...

Augusta ...

William ...

Paul P. Morrissey
 Commissioners