

ORIGINALDecision No. 75053

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF FREMONT and)
 the CITY OF UNION CITY for an order)
 authorizing construction of a crossing) Application No. 50538
 at separated grades between Niles) (Filed September 12, 1968)
 Boulevard and the track of the Western)
 Pacific Railroad Company, existing)
 Crossing No. 4-27.9 at the Western)
 Pacific Railroad.)

O R D E R

The Cities of Fremont and Union City are hereby authorized to construct a crossing at separated grades of Niles Boulevard over the track of The Western Pacific Railroad Company, in the City of Fremont and the City of Union City, 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. 4-28.0-A.

Construction and maintenance expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and 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 opening of the overpass structure to traffic, the existing Niles Boulevard grade Crossing No. 4-27.9 located approximately 275 feet northwesterly, shall be abandoned and closed to public use and travel.

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 the date hereof.

Dated at San Francisco, California, this 10th day of DECEMBER, 1968.

William Symons
President

John P. H. [unclear]

[unclear]

Street P. Morrissey
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.