

Decision No. 12329.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
the COUNTY OF CONTRA COSTA, State of)
California, for permission to construct)
a grade crossing for a road near Pitts-) Application No. 9097.
burg, Contra Costa County, California,)
across the tracks of the Atchison,)
Topeka and Santa Fe Railroad Company,)
a Corporation.)

O R D E R

Board of Supervisors of the County of Contra Costa, State of California, having on June 4, 1923, filed with the Commission an application for permission to construct a public road at grade across the track of The Atchison, Topeka and Santa Fe Railway Company, hereinafter called the Railroad, in said County of Contra Costa, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Railroad has signified by letter that it has no objections to the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said track, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted the Board of Supervisors of the County of Contra Costa, State of California, to construct a public road at grade across track of the Railroad described as follows:

BEGINNING at a point in the northerly right of way line of The Atchison, Topeka and Santa Fe Railway Company, five (5) feet south 74 degrees 23 minutes east from the intersection of said northerly right of way line of said railway company, with the northerly and southerly line between the property

of Redwood Manufacturers Association on the property of C. A. Hooper and Company, thence south 74 degrees 23 minutes east 50.01 feet along said northerly right of way line of said Railway Company to a point, thence south 16 degrees 46 minutes west 100.02 feet across right of way of said railway company to a point in the southerly right of way line of said railway company, thence north 74 degrees 23 minutes west 50.01 feet along said southerly right of way line of said railway company to a point, thence north 16 degrees 46 minutes east 100.02 feet across said right of way of said railway company to the point of beginning.

All of the above as shown by the map attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of its maintenance up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossings between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of eighty-eight (88) degrees fifty-one (51) minutes to the railroad and with grades of approach not greater than three (3) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) The trees situated easterly and westerly of and adjacent to the crossing on the northerly side of the railroad shall be removed.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(5) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order unless farther time is granted by subsequent order.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

This order shall become effective three (3) days from the making hereof.

Dated at San Francisco, California, this 7th day of July, 1923.

Clarence
H. K. Brundage
Irving Martin
Edward Shore

Commissioners.