

Decision No. 13258.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the SAN FRANCISCO-
SACRAMENTO RAILROAD COMPANY for per-
mission to construct a spur track
across a portion of East Street in
the Town of Walnut Creek, County of
Contra Costa, State of California.)

ORIGINAL

Application No. 9847.

BY THE COMMISSION:

O R D E R

San Francisco and Sacramento Railroad Company, a corporation, having on March 4, 1923, filed with the Commission an application for permission to construct a spur track at grade across a portion of East Street in the Town of Walnut Creek, County of Contra Costa, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by Board of Trustees of said Town of Walnut Creek for 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 East Street, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted San Francisco-Sacramento Railroad Company to construct a spur track at grade across East Street in the Town

of Walnut Creek, County of Contra Costa, State of California, as shown by the map A-138 attached to the application; said crossing to be constructed subject to the following conditions, viz.: -

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said East Street now graded, with the top of rails flush with the pavement and with grades of approach not exceeding One (1) per cent.; shall be protected by a suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

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

(4) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(5) 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
after the making thereof.

Dated at San Francisco, California, this 13th day
of March, 1923.

C. S. Sweeney

H. A. Bunnage

Irving Martin

L. T. Whitteley
Commissioners.