

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application )  
of The Atchison, Topeka and Santa )  
Fe Railway Company, a corporation, )  
for authority to construct a spur )  
track across Cornwall Street and )  
Railroad Avenue, in the City of )  
Pittsburg, County of Contra Costa, )  
State of California. )

ORIGINAL

Application No. 10159.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 6th day of June, 1924, asking for authority to construct a spur track at grade across Cornwall Street and Railroad Avenue, in the City of Pittsburg, County of Contra Costa, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 364-A) has been granted by the Board of Trustees of said City for the construction of said crossings at grade, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to avoid grade crossings with said Cornwall Street and Railroad Avenue and that this application should be granted subject to the conditions hereinafter specified.

THEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across Cornwall Street and Railroad Avenue, in the City of Pittsburg, County of Contra Costa, State of California, as follows:

Commencing at a point in the east line of Railroad Avenue, distant 75 ft. southwesterly from the center line of The A. T. & S. F. Ry.; thence on a 12 degree 30' curve concave southwesterly 60.02 ft. to the west line of Railroad Avenue; thence continuing on said 12 degree 30' curve 16.9 ft. to a point of compound curve; thence on a 9 degree 45' curve concave southwesterly

83.7 ft. to the east line of Cornwall Street; thence continuing on said 9 degree 45' curve 57.5 ft. to a point; thence westerly parallel with and distant 32.4 ft. southerly from said main track 4.4 ft. to the west line of Cornwall Street.

All of the above as shown by the map (Division Engineer's Drawing No. V-16-56) attached to the application; said crossings to be constructed subject to the following conditions, viz:-

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

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said streets now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding two (2) per cent; shall be protected by suitable crossing signs, 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 crossings.

(4) If said crossings 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 crossings 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 1<sup>st</sup> day  
of July, 1924.

C. Leary

H. M. Brundage

Wm. J. Masten

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Commissioners