

Decision No. 13842

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of COUNTY OF CONTRA COSTA, STATE)
OF CALIFORNIA, for a Subway Cross-) Application No. 5180.
ing under the tracks of The Atchison,)
Topeka and Santa Fe Railway Company,)
west of Christie.)

MARTIN, COMMISSIONER.

ORIGINAL

O P I N I O N

This is an application of the County of Contra Costa requesting that the Commission make its order requiring a separation of grades at the existing crossing of the Franklin Canyon Road across the tracks of The Atchison, Topeka and Santa Fe Railway Company near Christie Station.

Public hearings on this matter were held on February 11, 1920, September 26, 1923 and July 11, 1924.

The Franklin Canyon Road is one of the important county highways extending from Martinez through the Franklin Canyon to the Town of Hercules and is one of the more important traffic arteries of the county. This highway crosses the main tracks of The Atchison, Topeka and Santa Fe Railway immediately west of Christie Station. The highway has been paved with concrete pavement for its entire length, except for a distance of 1207.3 ft. across and immediately adjacent to this railroad crossing.

It appears that there is no dispute between the parties as to the desirability and justification of a separation of grades between this important highway and the railroad, but the matter of

deciding on the proper plan and the apportionment of the cost of the work were matters of dispute at the earlier hearings. More recent studies have been made, and the plans presented at the earlier hearings have now been discarded by both parties in favor of a modified plan upon which the county and the railroad company agreed. These agreed plans were filed at the last hearing and designated Applicant's Exhibit G-1 and G-2.

These plans provide for the construction of a subway with a clear width 29 ft. measured at right angles to the roadway, and at an angle of 40 degrees 27 minutes under the tracks of the Santa Fe at a point approximately 60 ft. easterly, measured along the railroad from the center line of the existing grade crossing. By selecting this location and this angle of skew, it will be possible to construct the subway with such an alignment on the road as to give a sight distance of over 1500 ft. through the subway; this being a requirement which representatives of the county considered very important for the safety of the road. The proposed location of the subway will also permit the use, with a slight modification, of the existing grade crossing during the construction, and will not require that an excessive amount of new right of way be purchased.

The estimated cost of the crossing under the plan now proposed, is given as \$88,701.00. This amount does not include the cost of constructing and grading the roadway outside of the limits of the railroad's right of way lines; nor does it include the cost of paving the road surface through the subway. The county agrees to pay for the last two named items. The parties agree to share equally the cost of constructing the subway itself including all necessary work to be done between the right of way lines of the railroad company, exclusive of paving.

The plan now agreed upon by the parties appears to be a

proper and satisfactory plan for the elimination of the existing grade crossing, and the agreement which has been made as to the division of costs, appears just and equitable.

The following form of Order is recommended:

O R D E R

The County of Contra Costa having made application for an order authorizing the construction of a subway on Franklin Canyon Road near Christie Station under the tracks of The Atchison, Topeka and Santa Fe Railway Company, public hearings having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision,

IT IS HEREBY ORDERED that the County of Contra Costa be and it is hereby granted permission to construct an undergrade crossing under the tracks of The Atchison, Topeka and Santa Fe Railway Company west of Christie Station, County of Contra Costa, State of California, approximately sixty (60) feet easterly, measured along the railroad from the center line of the existing grade crossing in accordance with Exhibits G-1 and G-2 filed at the hearing held July 11, 1924, and subject to the following conditions:

(1) All clearances shall comply with the Commission's General Order No. 26.

(2) Said subway shall be constructed in accordance with detailed plans which shall be filed with and approved by the Commission.

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

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

IT IS HEREBY FURTHER ORDERED, that the expense of constructing that portion of the subway and roadway, except the paving, within the limits of the railroad right of way lines shall be equally divided between the applicant and The Atchison, Topeka and Santa Fe Railway Company. The cost of constructing and grading the roadway outside of the limits of the railroad right of way lines, and the cost of paving the entire roadway, shall be borne by applicant.

Cost of maintenance of superstructure of said subway shall be borne by The Atchison, Topeka and Santa Fe Railway Company. Cost of maintenance of the substructure and roadway shall be borne by applicant.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 25th day of July, 1924.

C. Seaver
H. B. Burdick
Dwight Martin
J. T. Whittsey
Commissioners.