

Decision No. 15677

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
County of Contra Costa, State of
California, for an undergrade cross-
ing under the tracks of the Atchison,
Topeka and Santa Fe Railway Company,
East of Antioch.

Application No. 11895.

BY THE COMMISSION:

O R D E R

The County of Contra Costa filed the above-entitled application with this Commission on the 28th day of October, 1925, asking for authority to construct a public highway, known as the Delta Road, under the tracks of The Atchison, Topeka and Santa Fe Railway Company at a point about three (3) miles east of the Town of Antioch in said County. The Delta Road, extending from the County Road leading from Antioch to Oakley and Brentwood to the Delta Bridge, now in course of construction across the San Joaquin River, will connect the concrete highways of Contra Costa County with the river highway leading from the north bank of the San Joaquin River to Sacramento.

The Atchison, Topeka and Santa Fe Railway Company has signified, by letter, that the County and the Railway Company have agreed upon the basis for separating the grades at this crossing and so far as the Railway Company is concerned, there is no necessity for a public hearing.

It appears to the Commission that the present proceeding is not one in which a public hearing is necessary; that it is in the interests of public convenience and safety that the subway be constructed; that the informal agreement entered into by the County and the Railway

Company is equitable and that this application should be granted, subject, however, to certain conditions as hereinafter specified, therefore,

IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to the County of Contra Costa to construct a public highway, known as the Delta Road, under the tracks of The Atchison, Topeka and Santa Fe Railway Company at a point about three (3) miles east of the Town of Antioch in said County and as shown by the plan attached to the application, subject to the following conditions:

(1) Said under crossing shall be constructed with grades of approach of five per cent and at an angle of $79^{\circ} 48'$ with the tracks of The Atchison, Topeka and Santa Fe Railway Company.

(2) Clearances at said undergrade crossing shall be in conformity with those specified in the Commission's General Order No. 26-a.

(3) The cost of constructing said undergrade crossing shall be borne substantially fifty per cent by the County of Contra Costa and fifty per cent by The Atchison, Topeka and Santa Fe Railway Company. The cost of paving the highway through the underpass shall be borne by applicant. The cost of constructing and maintaining said grade separation shall be ^{borne} specifically in accordance with the provisions of an agreement to be hereafter entered into by the County of Contra Costa and The Atchison, Topeka and Santa Fe Railway Company, a certified executed copy of which shall be filed with the Commission by Applicant within thirty (30) days after its execution. Said agreement shall be subject to the approval of this Commission.

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

(5) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted

