

Decision No. 18723.

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 Southern  
Pacific Company at Harbor Street,  
south of the City of Pittsburg.

Application No. 13936.

BY THE COMMISSION:

O R D E R

County of Contra Costa filed the above entitled application with this Commission on the 15th day of July, 1927, asking for authority to construct a public highway under the tracks of Southern Pacific Company at Harbor Street south of the City of Pittsburg, as hereinafter set forth. Said Southern Pacific Company has signified that it has no objection to the construction of said undergrade crossing and it appears that applicant and said Southern Pacific Company have agreed as to the division of cost of construction and maintenance of said crossing. It appears to this Commission that the present proceeding is not one in which a public hearing is necessary, that it is in the interest of public convenience and necessity that the undergrade crossing be constructed and that this application should be granted subject to the conditions hereinafter specified, therefore

IT IS HEREBY ORDERED that the County of Contra Costa and Southern Pacific Company be and they are hereby authorized to construct an undergrade crossing under the tracks of Southern Pacific Company in the vicinity of Pittsburg, substantially in accordance with plan marked "Exhibit A" attached to the application, said

crossing to be constructed at a location described as follows:

Beginning at a point in the center line of Harbor Street, from which point the southwest corner of Lot 1, Block 220, as said Harbor Street, lot and block are so laid down, designated and delineated upon that certain map entitled "Creed Subdivision No. 2, City of Pittsburg", filed September 25th, 1923, in Volume 18 of Maps, page 425 and 426, records of Contra Costa County, California; bears S. 70° 47' 30" E., a distance of 55 feet; thence running along said center line of Harbor Street, S. 19° 12' 30" W., a distance of 735.83 feet to a point on the north line of the right-of-way of the county highway leading from Pittsburg to Antioch; (from which point the southeast corner of that certain tract of land described as Parcel 3 in that certain deed from C. A. Hooper and Company to the County of Contra Costa, recorded in Volume 29, Official Records, page 11, records of Contra Costa County, California, bears S. 66° 57' 30" E., a distance of 55.12 feet); thence S. 18° 27' W., a distance of 60.19 feet to a point on the northerly boundary line of the right-of-way of the Southern Pacific Railroad Company, (said point being 50 feet at right angles northerly from engineer's station 1747 plus 27 plus) for the point of beginning of the hereinafter described tract of land; thence running along said northerly boundary line of the right-of-way of the Southern Pacific Railroad Company, S. 66° 57' 30" E., a distance of 30.10 feet; thence leaving said right-of-way line, S. 18° 27' W., a distance of 100.32 feet to a point on the southerly boundary line of said right-of-way; thence running along said southerly boundary line, N. 66° 57' 30" W., a distance of 60.20 feet; thence leaving said southerly line of said right-of-way, N. 18° 27' E., a distance of 100.32 feet to a point on the northerly boundary line of said right-of-way; thence running along said line, S. 66° 57' 30" E., a distance of 30.10 feet to the point of beginning;

and as shown by said "Exhibit A", referred to above. Said crossing shall be constructed subject to the following conditions:

(1) Said crossing shall be constructed with clearances conforming to provisions in Commission's General Order No. 26-C.

(2) The cost of construction of said undergrade crossing shall be borne in accordance with the terms of an agreement to be entered into between the interested parties.

(3) Applicant shall, within ninety (90) days from the date hereof, file with this Commission a certified copy of the agreement between the interested parties relative to the division of cost, construction and maintenance of said crossing. Said agreement shall be subject to the approval of this Commission.

(4) Applicant shall, before commencement of construction, file with this Commission a complete set of detailed plans of the proposed grade separation.

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

(6) 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.

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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 18<sup>th</sup> day of August, 1927.

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*O'Shaughnessy*  
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*Leon Whitall*  
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*Thomas J. ...*  
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*M. A. ...*  
Commissioners.