

Decision No. 13720 .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of  
The County of Contra Costa, State  
of California, for a crossing at  
grade of the tracks of the Southern  
Pacific Company's San Ramon Branch  
near Maltby in the County of Contra  
Costa.

ORIGINAL

Application No. 14617.

BY THE COMMISSION:

ORDER

The County of Contra Costa, State of California,  
filed the above entitled application with this Commission on  
the 18th day of April, 1928, asking for authority to construct  
a public road at grade across the track of Southern Pacific  
Company, in the vicinity of Maltby Station, as hereinafter set  
forth. Said Southern Pacific Company has signified by letter  
that it has no objection to the construction of said crossing  
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  
provide a grade separation or to avoid a grade crossing with  
said track at the point mentioned in this application, 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 County of Contra Costa, State  
of California, to construct a public road at grade across the  
track of Southern Pacific Company at the location hereinafter

particularly described and as shown by the maps (Exhibits "A" and "B") attached to the application.

Description of Crossing.

Commencing at a point where the center line of the Atchison Topeka and Santa Fe Railway leading from Richmond to Stockton crosses the center line of the Right of Way of the Southern Pacific Railroad Company's branch line leading from Avon to Radum, said point being known as Engineer Station 58 plus 78°; thence along the said center line of the Southern Pacific Railroad S. 26° 22 1/2' E. 751.0 feet to a point at Engineer Station 66 plus 29°, said point being the point of beginning of the parcel of land to be described; thence at right angles N. 63° 37 1/2' E. a distance of 50.0 feet to a point on the easterly right of way line of the said Southern Pacific Railroad Company; thence along said easterly right of way line S. 26° 22 1/2' E. 40 feet to a point; thence at right angles S. 63° 37 1/2' W. 100.00 feet to a point on the westerly right of way line of the said Southern Pacific Railroad Company; thence at right angles along said westerly right of way line N. 26° 22 1/2' W. 40.0 feet to a point; and thence at right angles N. 63° 37 1/2' E. 50.0 feet more or less to the point of beginning, said parcel of land containing 0.09 acres more or less.

The above crossing shall be identified as Crossing No. B0-39.3.

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossing shall be constructed of a width not

less than twenty (20) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than four (4) per cent; shall be constructed equal or superior to type shown as Standard No. 2 as specified in General Order No. 72 of this Commission; shall be protected by a crossing sign in accordance with Standard No. 1 as specified in General Order No. 75 and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

(3) The existing private crossing located approximately thirteen hundred (1300) feet north of the crossing herein authorized, shall be abandoned and effectively closed.

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

(5) 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.

(6) 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 8<sup>th</sup> day  
of May, 1928.

Leon White  
of  
Edward J. [unclear]  
W. S. [unclear]  
W. A. [unclear]  
 Commissioners.