

Decision No. 20180

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of Southern Pacific Company for an order authorizing the construction at grade of a side track across County Road (known as Oak Street) in the vicinity of Brentwood, County of Contra Costa, State of California.

ORIGINAL

Application No. 14997.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 27th day of August, 1928, asking for authority to construct a spur track at grade across Oak Street in the vicinity of Brentwood, County of Contra Costa, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County for the construction of said crossing at grade. 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 at the point mentioned in this application with said Oak Street 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 Southern Pacific Company to construct a spur track at grade across Oak Street in the vicinity of Brentwood, County of Contra Costa, State of California, at the location hereinafter particularly described and as shown by the map (Western Div'n. Drawing B-294, Sheet No. 5) attached to the application.

Description of Crossing

BEGINNING at a point on the northwesterly line of Oak Street (C.R.C. E-61.7) said point being distant 60 feet northeasterly and at right angles from the center line of the Southern Pacific Company's main line track at Engineer's Station 1095 plus 29; thence southeasterly across Oak Street a distance of 26.2 feet to a point, said point being a distance of 57.1 feet measured northeasterly, and at right angles from the said Southern Pacific Company's main line track. Said description being that of a railroad spur track.

The above crossing shall be identified as a portion of Crossing No. E-61.7.

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

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

(2) Said crossing shall be constructed equal or superior to type shown as Standard No. 3, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the pavement, and with grades of approach not exceeding five (5) per cent; shall be protected by a Standard No. 1 crossing sign as specified in General Order No. 75 of this Commission and shall in every way be made suitable 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 crossing.

(4) 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.

(5) 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 31st day of August, 1928.

C. Deane

Wm. J. ...

A. M. ...

Commissioners.