

Decision No. 22824.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of DELTA FINANCE COMPANY, LTD., for
permission to construct, maintain
and operate a main line of railroad
at grade over and across a certain
county road in the County of Alameda,
State of California.

Application No. 16671.

BY THE COMMISSION:

ORDER

Delta Finance Company, Ltd., a corporation, filed the above entitled application with this Commission on the 23rd day of June, 1930, asking for authority to construct a main track at grade across a county road in the vicinity of Alvarado, County of Alameda, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution dated June 24, 1930) 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 county road No. 314 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 Delta Finance Company, Ltd., to construct a main track at grade across county road No. 314 in the vicinity of Alvarado, County of Alameda, State of California, at a point near the junction with county road No. 556.

The above crossing shall be identified as a portion of Crossing No. 81-2.3.

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. 2, in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said road now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding two (2) per cent; shall be protected by Standard No. 1 crossing signs 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) Flood lights shall be installed in such a manner as to illuminate the sides of engines or cars passing over said crossing; said flood lights shall be lighted during the passage of all engines, trains or cars passing over said crossing at night.

(4) No train, engine, motor or car shall be operated

over said crossing unless said train, engine, motor or car shall be under full control and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

(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.

(7) 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 1st day of July, 1930.

[Signature]
[Signature]
[Signature]

Commissioners.