

Decision No. 22769

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of SOUTHERN PACIFIC COMPANY and THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY for an order authorizing construction at grade of a spur track across Hall Avenue in the City of Richmond, County of Contra Costa, State of California.

ORIGINAL

Application No. 16785.

BY THE COMMISSION:

ORDER

Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, corporations, filed the above entitled application with this Commission on the 31st day of July, 1930, asking for authority to construct a spur track at grade across Hall Avenue in the City of Richmond, County of Contra Costa, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 2149) has been granted by the City Council of said City 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 Hall Avenue 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 and The Atchison, Topeka and Santa Fe Railway Company, corporations, to construct a spur track at grade across Hall Avenue in the City of Richmond, County of Contra Costa, State of California, at the location hereinafter particularly described and as shown by the map (Western Division Drawing No. R-277, Sheet No. 1 Rev.) attached to the application.

DESCRIPTION OF CROSSING

"COMMENCING at a point where the easterly line of Fourteenth Street intersects the Northerly line of Hall Avenue, in the City of Richmond, County of Contra Costa, State of California; thence Easterly along the northerly line of said Hall Avenue a distance of 102.4 feet, more or less to a point in the center line of proposed spur track, said point being the true point of beginning of center line to be described; thence Southerly in a direct line across said Hall Avenue a distance of 80 feet, more or less, to a point in the Southerly line of said Hall Avenue distant thereon 102.4 feet, more or less, Easterly from the Easterly line of said Fourteenth Street produced Southerly."

Said crossing shall 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 applicants.

(2) This order is made upon the express condition that Hall Avenue is not now actually constructed and open to travel at the proposed point of crossing and this order shall not be deemed an authorization for the construction of an opening of said street to public use across said spur track. Said track shall be so constructed that grades of approach not exceeding three (3) per cent will be feasible in the event that the construction and opening of Hall Avenue across said spur shall

hereafter be authorized and so that said grade crossing may be made safe 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 7th day of August, 1930.

Al Deaver
Commissioner

Thos O. Lovitt
Commissioner

Commissioners.