

**ORIGINAL**Decision No. 22878

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of  
SOUTHERN PACIFIC COMPANY and  
SACRAMENTO NORTHERN RAILWAY for  
an order authorizing the con-  
struction, maintenance and oper-  
ation at grade of a track cross-  
ing near the Station of McAvoy,  
County of Contra Costa, State of  
California.

Application No. 16878.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, and Sacra-  
mento Northern Railway, a corporation, filed the above entitled  
application with this Commission on the 8th day of September,  
1930, asking for authority to construct, maintain and operate  
at grade a track crossing near the station of McAvoy, County of  
Contra Costa, State of California, as hereinafter set forth.

Applicants allege that they propose to construct cer-  
tain track connections from their respective lines of railroad  
to industry tracks or to be constructed by Shell Chemical Com-  
pany to serve its proposed plant and that in connection with  
construction of said tracks it is necessary and desirable that  
proposed track marked #1 on map attached to application be con-  
structed by said Chemical Company and operated by Southern Pa-  
cific Company at grade across proposed track No. 2 as shown on  
said map to be constructed by said Chemical Company and operated  
by Sacramento Northern Railway.

It appears to the Commission that this is not a matter in which a public hearing is necessary and that this application should be granted, therefore

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company and Sacramento Northern Railway to construct a rail crossing at grade in the vicinity of the station of McEvoy, County of Contra Costa, State of California, at the location hereinafter particularly described and as shown by the map (Western Division Drawing No. M-258, Sheet 5) attached to the application.

Description of Crossing

Beginning at a point at the intersection of the southern right of way line of the Sacramento Northern Railway, and the western line of the Poinsetta Land Company's Subdivision, thence southerly along said western line of the Poinsetta Land Company's Subdivision, a distance of 361.41 feet, more or less, to a point in the center line of a switch track; thence southwesterly, a distance of 83.0 feet more or less, to a point, said point being in the center line intersection of the proposed track crossing, whose tangents intersect at an angle of 30°.

Said crossing shall be constructed subject to the following conditions:

(1) Applicants shall file with this Commission, within sixty (60) days of the date of this order, a duly executed copy or copies of an agreement or agreements covering the terms of the cost of installation and maintenance and terms of operations of said crossing.

(2) All trains, motors, engines or cars of both Southern Pacific Company and Sacramento Northern Railway shall stop before entering upon said crossing at grade and shall not proceed thereover until it has been ascertained that it is safe to do so. Stop signs shall be erected on each side of said crossing on each track notifying trainmen to stop before proceeding over said crossing.

(3) Applicants 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 16th day of September, 1930.

Al. Sawyer

Leon Whitehall  
Thomas B. Smith

Commissioners.