

Decision No. 22092.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of The Atchison, Topeka and Santa  
Fe Railway Company, a corporation,  
for authority to extend its Track  
No. 3 upon and across Enterprise  
Avenue and Seventh Street, in the  
City of Richmond, County of Contra  
Costa, State of California.

Application No. 16841.

ORIGINAL

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 22nd day of August, 1930, asking for authority to construct an extension of its Track No. 3 at grade across Enterprise Avenue and Seventh Street in the City of Richmond, County of Contra Costa, State of California, as hereinafter set forth. The necessary franchise or permit (Resolution No. 2153) has been granted by the City Council of said city for the construction of said crossings 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 grade separations or to avoid grade crossings at the points mentioned in this application with said Enterprise Avenue and Seventh 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 The Atchison, Topeka and Santa Fe

Railway Company to construct an extension of its Track No. 3 at grade across Enterprise Avenue and Seventh Street in the City of Richmond, County of Contra Costa, State of California, at the locations hereinafter particularly described and as shown by the map (Division Engineer's Drawing No. T-8-14) attached to the application.

Description of Crossings

Enterprise Avenue:

Commencing at a point in the southern line of Enterprise Avenue, produced easterly, said point being distant 179.45 feet easterly from the southeastern line of East Street south of Walker Avenue; thence north 38 degrees 18 minutes 30 seconds east, 56.97 feet to the northern line of Enterprise Avenue produced easterly.

Seventh Street:

Commencing at a point in the southwestern line of 7th Street, said point lying 109.82 feet southeasterly from the northwestern line of East Street and 88.09 feet northeasterly from the southwestern line of Critchett Avenue produced southeasterly; thence north 38 degrees 18 minutes 30 seconds east across 7th Street parallel with said northwestern line of East Street, 58.14 feet to the northeastern line of 7th Street.

The crossing of Enterprise Avenue shall be identified as Crossing No. 2-1188.6-C and the crossing of Seventh Street shall be identified as Crossing No. 2-1188.5-C.

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

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

(2) Said crossings 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 those portions of said streets now graded, with the tops

of rails flush with the roadways, and with grades of approach not exceeding three (3) 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) No train, engine, motor or car shall be operated over said crossings unless said train, engine, motor or car shall be under full control and unless traffic on said streets be protected by a member of the train crew or other competent employee acting as flagman.

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

(5) If said crossings 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 crossings 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 28<sup>th</sup> day of October, 1930.

C. C. Sawyer

Leah Campbell  
W. H. Smith

Commissioners.