

Decision No. 1017.3

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application
of The Atchison, Topeka & Santa Fe
Railway Company for permission to
construct a spur track at grade
across County Road near Pittsburg,
County of Contra Costa, State of
California.

ORIGINAL

Application No. 7623.

By The Commission:

O R D E R

The Atchison, Topeka & Santa Fe Railway Company, a corporation, having on March 6, 1922, filed with the Commission an application for permission to construct a spur track at grade across County Road near Pittsburg, County of Contra Costa, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Board of Supervisors of said County of Contra Costa for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said County Road, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted The Atchison, Topeka & Santa Fe Railway Company to construct a spur track at grade across County Road near Pittsburg, County of Contra Costa, State of California, described as follows:

Commencing at a point in the south boundary of highway, said point being 25 feet north and 30 feet east of the point of switch of Pittsburg Chemical Company's Spur track; thence northeasterly on a curve to the left 40.53 feet; thence on a curve to the right, 86.76 feet, to a point in the north boundary of said highway,

all of the above as shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz:

(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 of a width and type of construction to conform to that portion of County Road now graded, with grades of approach not exceeding one (1) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) No locomotive, car, or train, shall be operated over said crossing unless it be preceded by a flagman who shall give suitable warning of its approach,

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

(5) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order 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 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.

Dated at San Francisco, California, this 11th day of March,
1922.

H. B. Brundage
H. B. Loveland
Irvine Martin
Clarence S. Brown
W. J. Condit

Commissioners.