

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of OAKLAND, ANTIOCH AND EASTERN RAILWAY, a corporation, for permission to construct subgrade crossings under the tracks of Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, near McAvoy, Contra Costa County, California.

Application 296.

ORIGINAL

O R D E R

By the Commission.

OAKLAND, ANTIOCH AND EASTERN RAILWAY, a corporation, having on November 20, 1912, filed with the Commission an application for an order permitting the construction of subgrade crossings for its main line under the tracks of Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, near McAvoy, Contra Costa County, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary, that Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, have agreed to the construction of said crossings in accordance with plans and specifications attached to the application and the division of the cost of installation thereof; and it further appearing that it is reasonable and practicable to avoid grade crossings of applicant's proposed railroad with the railroads of said companies and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED that permission be heroby granted Oakland, Antioch and Eastern Railway to construct its railroad below grade at crossings proposed with the tracks of the Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, near McAvoy, Contra Costa County, California, in accordance with the plans and specifications attached to the application and subject to the following conditions, viz.:

(1) The overhead clearance above the top of rails of applicant and the bottom of overhead structures under the tracks of the other railroads party to the crossings, and the side clearances for the subgrade structure shall be in accordance with the plans attached to the application.

(2) The cost of constructing the subgrade crossings shall be borne one-half (1/2) by applicant, one-quarter (1/4) by The Atchison, Topeka & Santa Fe Railway Company and one-quarter (1/4) by Southern Pacific Company. The cost of maintaining the crossings, including the overhead structures shall be borne in proportion or in accordance with such agreement or contract as may hereafter be entered into between the parties.

(3) 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.

Dated at San Francisco, California, this 3<sup>rd</sup> day of December, 1912.

H. B. Loveland  
W. E. Gordon  
Edwin O. Edgerton  
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Commissioners.