

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
THE ATCHISON, TOPEKA AND SANTA FE
RAILWAY COMPANY for permission to
construct a passing track at grade
across Fink Lane, Schmidt Lane and
Manila Avenue, between the stations
of Dwight and Schmidt, in Contra
Costa County, California.
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ORIGINAL

Application No. 2616.

Decision No. 3838

By the Commission,

O R D E R

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a corporation, having on October 30, 1916, filed with the Commission an application for permission to construct a passing track at grade across Fink Lane, Schmidt Lane and Manila Avenue, between the stations of Dwight and Schmidt, in 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 the proposed crossings are not within the limits of an incorporated town or city and no franchise is needed for the construction of said crossings at grade; and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said highways, and that this application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be hereby granted The Atchison, Topeka and Santa Fe Railway Company to construct a passing track at grade across Fink Lane, Schmidt Lane and Manila Avenue, between the stations of Dwight and Schmidt, in Contra Costa County, California, on the north side of its main line track, as shown by the map attached to the application; said crossings to be constructed subject to the following conditions, viz:

(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 of a width and type to conform to those portions of Fink Lane, Schmidt Lane and Manila Avenue now graded, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(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 2nd day of November, 1916.

Max Thelen

H. H. Howard

Alfred Gordon

Frazer R. Dwyer

Commissioners.