

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

Decision No. 429

In the matter of the application of THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY for permission to construct spur track at grade across Schmidt Lane, Town of Schmidt, Contra Costa County, California.

Application No. 384.

ORDER

By the Commission.

The Atchison, Topeka & Santa Fe Railway Company, a corporation, having on January 29th, 1913, filed with the Commission an application for permission to construct a spur track at grade across a public highway known as Schmidt Lane near the town of Schmidt, 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 applicant has secured the necessary franchise or permit from Board of Supervisors, Contra Costa County, California, to construct said spur track at grade across said public highway; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said public highway, and that the application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED that permission be hereby granted The Atchison, Topeka & Santa Fe Railway Company to construct a spur track at grade across a public highway known as Schmidt Lane near the town of Schmidt, Contra Costa County, California, at the intersection of said highway with Blake Street, and as shown by the map attached to the application, subject to the following conditions, namely:

(1) The entire expense of constructing the crossing together with its maintenance hereafter in good and first class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Applicant shall provide the necessary plank or guard rails for the construction of said crossing and shall make same of a width sufficient to accommodate road and other traffic passing over said highways. Said crossing shall be constructed with grades of approach not exceeding six (6) percent and shall be ballasted with stone or gravel ballast to a depth of not less than six (6) inches.

(3) 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 demands such action.

Dated at San Francisco, California, this 30th day of January, 1913.

John W. Eschleman

H. D. Loveland

W. G. ...

Commissioners.