

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 5348

In the matter of the application of)	
CITY OF ALBANY for an order of the)	
Railroad Commission of the State of)	
California permitting the construction)	Application No. 3579
of a street crossing over the right of)	
way of The Atchison, Topeka and Santa)	
Fe Railway Company.)	
.....)	

L. A. Clark for applicant.
 Platt Kent for The Atchison,
 Topeka & Santa Fe Railway Company.

GORDON, Commissioner.

O P I N I O N

In this application the City of Albany asks permission to construct Washington Avenue over the Oakland Branch of The Atchison, Topeka and Santa Fe Railway Company. Washington Avenue is an east and west street between Main Street and Portland Avenue, Main Street being about 875 feet to the south and Portland Avenue 610 feet to the north; both streets have open crossings.

The main portion of the City of Albany is west of the Santa Fe tracks and to the east, in the immediate vicinity of the proposed crossing, there are but four or five houses. From my inspection on the ground and from the facts developed at the hearing I am unable to discover any public necessity for this crossing. The Fire Department is located at the corner of Washington and San Pablo Avenues and possibly an open crossing at Washington Avenue would be of some convenience to it at rare

intervals; and I think it is undoubtedly true that the drivers of a few delivery wagons would find a crossing there of some convenience. There are, however, about twenty schedule trains over the Santa Fe track and although the country is comparatively open the usual hazard attending a grade crossing with this number of trains over it is considerably greater than the public convenience which would be afforded by opening a crossing at this point.

I recommend the following form of order.

O R D E R

The City of Albany having applied to the Commission for permission to construct Washington Avenue at grade over the tracks of The Atchison, Topeka and Santa Fe Railway Company, and a public hearing having been held; and it appearing to the Commission that public convenience and necessity do not require the opening of this crossing;

IT IS HEREBY ORDERED, That this application be and the same hereby is denied.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 29th day of April, 1918.

Max Thelen
at St. Louis
Geo. Gordon
Frank P. DeWitt