

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the	}	Application No. 4273.
CLYDE COMPANY, approved and joined in		
by the Board of Supervisors of Contra		
Costa County for road crossings over the		
tracks of the Oakland, Antioch and		
Eastern Railway and the Bay Point and		
Clayton Railroad at Clyde, Contra Costa	}	}
County, California.		

Winfield Dorn for Clyde Company.
 John S. Partridge and K. C. Partridge,
 for Bay Point and Clayton Railroad.
 E. A. Mitchell, for Oakland, Antioch and
 Eastern Railway.
 A. T. Wright, for United States Shipping
 Board Emergency Fleet Corporation.

LOVELAND, Commissioner.

O P I N I O N

This application was filed on December 19, 1918 by the Clyde Company, and upon the request of the Commission it was approved and joined in by the Board of Supervisors of Contra Costa County, which joint application was filed on February 11, 1919.

Public hearings were held on April 14th and April 24th, 1919, at San Francisco, California.

This application looks to the construction of four crossings at grade, three of which are over the tracks and right of way of the Oakland, Antioch and Eastern Railway and one over the tracks and right of way of the Bay Point and Clayton Railroad, at the town of Clyde, Contra Costa County, California.

The town of Clyde, which is situated on the east side of the paved county highway and Oakland, Antioch and Eastern Railway, about half way between Concord and Bay Point, just north of their point of crossing with the Bay Point and

Clayton Railroad, was built under the supervision of the United States Shipping Board Emergency Fleet Corporation and consists of an 180 room hotel and about 105 houses, of which about 70 or 80 are fully completed. The land on which they are built is backed on the east by a steep hill. In addition to the above buildings a sewage disposal plant is located west of the right of way of the Bay Point and Clayton Railroad, which crosses the Oakland, Antioch and Eastern Railway and the highway just south of the town from the east and which then turns north and parallels the highway along its west side. West of the highway and railroads, but south of the point of crossing, is located the yards of the Clyde Company, containing the houses, barns, stables, etc. used to house the construction forces. These buildings are reached by a private roadway from the county highway. The remaining land west of the highway and railroads is vacant.

Of the three crossings desired over the tracks of the Oakland, Antioch and Eastern Railway, two are located at Trafalger Boulevard and are designed for one-way traffic. The other crossing is located at York Street about 3380 feet north of these crossings and is desired as a convenient northerly outlet for residents desiring to drive to Bay Point. Without these crossings it would be impossible for any one to get in or out of the town of Clyde. The Oakland, Antioch and Eastern Railway Company has no objection to the establishment of these crossings and has already reached an agreement with the Clyde Company as to the cost of an automatic flagman for the protection of one of them.

The crossing applied for over the Bay Point and Clayton Railroad is located west of and midway between the two crossings desired over the Oakland, Antioch and Eastern Railway at Trafalgar Boulevard. This crossing is desired by the Clyde Company to reach its sewage disposal plant lying to the west of the railroad. It is also desired as a means of access to the corporation yard which has been previously described.

At the present time there is no development of any kind on the land to be served by this crossing outside of the facilities of the Clyde Company already referred to. Some of the land has been sold as an industrial site but work on the proposed plant has not been started as yet.

I believe that the Clyde Company and others who might desire to use this proposed crossing will be amply served by the present roadway leading into the corporation yard about two hundred feet south of the crossing of the main county highway with the Bay Point and Clayton Railroad. This roadway has been in use for several months. From the evidence submitted I am of the opinion that there is no great need for a public crossing over the Bay Point and Clayton Railroad at this location at the present time and that the Clyde Company would be amply served by a private crossing with gates such as the usual farm crossing is equipped with.

I recommend that the portion of this application relating to the three crossings over the Oakland, Antioch and Eastern Railway be granted and that portion relating to the crossing over the Bay Point and Clayton Railroad be denied.

O R D E R

The Clyde Company having on December 19, 1918 applied to the Commission for permission to construct three crossings at grade across the tracks of the Oakland, Antioch and Eastern Railway and for one crossing at grade across the track of the Bay Point and Clayton Railroad at Clyde, Contra Costa County, California, and the Board of Supervisors having approved and joined the application in February, 1919, and public hearings having been held and the Commission being fully apprised in the premises,

IT IS HEREBY ORDERED that the Clyde Company and the County of Contra Costa be and the same are hereby authorized to construct three public highway crossings at grade across the right of way and tracks of the Oakland, Antioch and Eastern Railway at Clyde, Contra Costa County, California, as shown on the maps attached to the application and marked Exhibit "A" and Exhibit "B", said crossings to be constructed subject to the following conditions and not otherwise, viz:-

(1) These three crossings shall be constructed of a width of not less than twenty-four (24) feet, with grades of approach not exceeding four (4) per cent, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(2) The entire expense of constructing the crossings shall be borne by applicants.

(3) An automatic flagman or bell shall be placed at one of the crossings on the terms agreed upon between the Clyde Company and the Oakland, Antioch and Eastern Railway.

(4) The expense of maintaining the crossings in good and first-class condition for the safe and convenient use of the public, shall be borne by the applicants, except for that portion between the rails and two (2) feet outside thereof, which shall be borne by the Oakland, Antioch and Eastern Railway.

(5) 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.

IT IS HEREBY FURTHER ORDERED that that portion of the application covering the crossing over the Bay Point and Clayton Railroad as shown on Exhibit "A" attached to the application be and the same is hereby 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 1st day of ^{August} ~~July~~, 1919.

Edwin G. Edgerton
H. D. Loveland
Francis R. Dreyer

Commissioners.