

Decision No. 7706

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application
of the BAY POINT & CLAYTON RAILROAD
COMPANY for crossing the highway at
or near the Town of Bay Point.) Application No. 5165.

Mastick & Partridge by
John S. Partridge for applicant.
Archibald B. Tinning, District
Attorney, for County of Contra
Costa.

BY THE COMMISSION:

O P I N I O N

Bay Point & Clayton Railroad Company applies for authority to construct an overhead crossing over the County Highway near Bay Point, Contra Costa County, at the place and in the manner shown by maps attached to Application No. 4114. A public hearing in the matter was held by Examiner Westover at Martinez.

At the hearing the County of Contra Costa did not oppose the crossing but sought to show the need of ample horizontal clearance and that the highway will constitute an important artery of travel after it is paved, which is contemplated in the near future. It expressed satisfaction with a 26 foot clearance, which is provided in the order.

O R D E R.

Bay Point & Clayton Railroad Company having applied for authority to construct an overhead crossing over a certain public highway at the point hereinafter described, and a public hearing having been held thereon and the Commission being now fully advised,

IT IS HEREBY ORDERED that permission be and it is hereby granted Bay Point & Clayton Railroad Company to construct an overhead crossing over a certain public highway at or near the Town of Bay Point, in the County of Contra Costa, State of California, as shown by the maps and plans attached to Application No. 4114 on file with this Commission, said crossing to be constructed subject to the following conditions, viz:

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

(2) Said ^{overhead} crossing shall be constructed to permit of a minimum horizontal clearance of 28 feet at right angles to the right of way for said highway and with a minimum vertical clearance of 14 feet required under the Commission's General Order No. 26.

(3) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said overhead crossing

as to it may seem right and proper, and to revoke its per-
mission if, in its judgment, the public convenience and
necessity demand such action.

Dated at San Francisco, California, this 2^d
day of March 1920.

Edwin G. Edgerton
H. D. Loveland
Mark Dewey
H. K. Brundage
Jessie Martin
Commissioners.