

Decision No. 27220.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the City of Berkeley, a municipal corporation, for an order authorizing a street crossing at grade over the tracks and right-of-way of The Atchison, Topeka and Santa Fe Railway at the intersection of Santa Fe Avenue with the main line of said Atchison, Topeka and Santa Fe Railway.

Application No. 19496.

BY THE COMMISSION:

O R D E R

The City Council of the City of Berkeley, County of Alameda, State of California, on June 21, 1934, applied for authority to construct a public street known as Santa Fe Avenue at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company in said City of Berkeley. The Atchison, Topeka and Santa Fe Railway Company on June 30, 1934, signified, in writing, that it has no objection to the construction of said crossing at grade.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said tracks at the point mentioned; and that the application should be granted,

IT IS HEREBY ORDERED that the City Council of the City of Berkeley, in the County of Alameda, State of California, is hereby authorized to construct Santa Fe Avenue at grade across

the tracks of The Atchison, Topeka and Santa Fe Railway Company, at the location more particularly described in the application and as shown by the maps (Exhibits A, B and C) attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 2K-7.0.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by The Atchison, Topeka and Santa Fe Railway Company.
- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle to the railroad as shown by the map (Exhibit A) attached to the application, and with grades of approach not greater than three (3) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Two (2) Standard No. 3 wigwag signals shall be installed at the sole expense of applicant and maintained thereafter by The Atchison, Topeka and Santa Fe Railway Company for the protection of the crossing herein authorized to be constructed.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (7) 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, public convenience and necessity demand such action.

The authority herein granted shall become effective
on the date hereof.

Dated at San Francisco, California, this 16th
day of July, 1934.

C. L. Jones

H. A. Carr

W. B. Harris

Commissioners.