

Decision No. 28923.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of  
THE ATCHISON, TOPEKA AND SANTA FE  
RAILWAY COMPANY, a corporation, for  
authority to lay down, construct,  
operate and maintain a track across  
Manila Avenue at El Cerrito, County  
of Contra Costa, State of California.

Application No. 20614.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

The Atchison, Topeka & Santa Fe Railway Company, a corporation, on June 17, 1936, applied for authority to construct a spur track at grade across Manila Avenue in the City of El Cerrito, County of Contra Costa, State of California. The necessary franchise or permit has been granted by the City Council of said city for 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 at the point mentioned and that the application should be granted,

IT IS HEREBY ORDERED that The Atchison, Topeka and Santa Fe Railway Company is hereby authorized to construct a spur track at grade across Manila Avenue in the City of El Cerrito, County of Contra Costa, State of California, at the location more particularly described in the application and as shown by the map (Division Engineer's Drawing No. T-6-186) attached thereto, subject to the following conditions:

- (1) The above crossing of Manila Avenue shall be identified as a portion of Crossing No. 2K-4.4.

- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne by applicant.
- (3) Said crossing shall be constructed equal or superior to the type shown as Standard No. 2 in our General Order No. 72, and shall be constructed without superelevation and of a width to conform to that portion of said avenue now graded, with the tops of rails at same elevation as branch line rails and flush with the pavement and with grades of approach not exceeding three (3) per cent. The entire crossing shall be protected by two (2) Standard No. 1 crossing signs, as specified in our General Order No. 75-A.
- (4) No cars shall be allowed to stand or be spotted on said spur track within seventy-five (75) feet of the center line of Manila Avenue, unless said crossing of Manila Avenue is protected by a member of the train crew or other competent employe acting as flagman at times when trains are crossing over said crossing.
- (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 22nd day of June, 1936.

M B Harris  
Leon A. White  
M. A. Lunn  
Robert M. ...  
Frank R. ...  
 Commissioners.