

Decision No. 35033

## 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 construct, maintain, and operate ) Application  
 a spur track in and along Esmeralda Street and ) No. 24768  
 across Ohio, Florida, Maine and Virginia Avenues )  
 and Cutting Boulevard in the City of Richmond, )  
 County of Contra Costa, State of California. )

**ORIGINAL**

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company is authorized to construct a spur track at grade in and along Esmeralda Street and across Ohio, Florida, Maine and Virginia Avenues and Cutting Boulevard in Richmond, Contra Costa County, at the locations described in the application. The crossings with Ohio Avenue and Cutting Boulevard shall be identified as Crossings Nos. 2K-0.2-C and 2K-0.6-C, respectively. Applicant shall bear entire construction and maintenance expense. Construction of said crossings of Ohio Avenue and Cutting Boulevard shall be equal or superior to Standard No. 2 of G. O. No. 72, without superelevation and of a width to conform to the portion of the street now graded, with tops of rails flush with roadway, and with grades of approach not exceeding two per cent. Protection shall be by two Standard No. 1 crossing signs (G. O. No. 75-B) at each crossing.

This order is made upon the condition that Esmeralda Street and Florida, Maine and Virginia Avenues are not now actually constructed and open to travel at the respective points of crossing and this order shall not be deemed an authorization for the construction of an opening of said streets to public use across said spur track.

No train, motor, engine, or car shall enter upon said crossing of Cutting Boulevard at a speed greater than ten (10)

miles per hour and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman. After having entered upon the crossing, it shall be cleared as quickly as is practicable.

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within one year, unless time be extended, or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require. This order shall be effective immediately.

Dated at San Francisco, California, this 17<sup>th</sup> day of February, 1942.

Justin P. Callen  
Ray & Wiley  
H. Baker  
Francis D. Howland  
Richard L. Baker  
Commissioners