

**ORIGINAL**

Decision No. 12913

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of the Board of Supervisors of the County of Los Angeles, State of California, for permission to install a grade crossing over the tracks of Southern Pacific Railroad on the Waterdale Road.

Application No. 9348.

Roy W. Dowds, for the Board of Supervisors of  
Los Angeles County.  
F. W. Mielke, for Southern Pacific Company.

BY THE COMMISSION:

O P I N I O N

This is a proceeding in which the Board of Supervisors of the County of Los Angeles ask for an order authorizing the construction of Waterdale Road at grade across the track of Southern Pacific Company. Waterdale Road is located six miles north of the town of Lancaster along the east and west section line between

sections 10 and 15 T. 8 N.R. 12 W. S.B.E. & M. and east thereof.

A public hearing was held on this application before Examiner Williams in Los Angeles, November 23, 1923.

The evidence shows that the Board of Supervisors of Los Angeles County have recently improved Waterdale Road for a distance of ten miles east from its intersection with the Mojave Road, which runs north and south on section lines approximately one mile east of the crossing asked for in this application and they now desire to improve Waterdale Road west of Mojave Road to an intersection with the State Highway which is a paved road running along the west side of Southern Pacific Company's right of way. This improvement will involve the crossing of the main line of Southern Pacific between Los Angeles and Bakersfield. The nearest public crossings to the one asked for herein are those of county roads running east and west on section lines two miles north and two miles south of Waterdale Road.

The record shows that the district to the east to be benefited by the proposed crossing, amounting to some sixteen square miles, is growing considerably and that at the present time there would be some twenty-five families benefitted by the granting of this application in that it would give them access to the paved highway in a direct east and west line and thus eliminate the present necessity of traveling two miles north or two miles south to an existing crossing over the railroad track.

The area surrounding the crossing applied for herein is semi-desert practically level with a slight drainage to the northwest which favors the maintenance of Waterdale Road. The soil is of a heavy clay nature. During the greater portion of the year the dirt roads in this district are in fairly good condition but during the rainy season there are times when the roads are almost impassible. It is during the wet season that traffic on Waterdale

Road east of the paved highway would be most benefitted by granting of this application. It was also shown that the granting of this crossing would be of material benefit to parties owning property on both sides of the railroad which would eliminate the present necessity of traveling two miles north or south to a public crossing to get from one tract to the other. It is estimated that over fifty vehicles would normally pass over the proposed crossing per day in the event it was constructed.

The greater portion of the rancher's sale products in the district are hauled by trucks to Lancaster and shipped from there over the Southern Pacific. It appears that the granting of this application would not only benefit the ranchers but also be a benefit to Southern Pacific Company in that it should aid in the development of the country and thereby increase business with the railroad.

The Southern Pacific Company appeared to oppose the granting of this application on the ground that public convenience and necessity does not warrant the expense and hazard that would be incident to the proposed crossing. At present the traffic on the railroad consists of ten regular passenger trains which travel at high rates of speed and eight regular freight trains per day, in addition to frequent extra trains.

The evidence shows that in the event this application is granted the standard crossing sign would be sufficient warning to the public of this crossing as an approaching train can be seen for miles in either direction.

From a consideration of all of the evidence submitted it appears that public convenience and necessity justify the granting of this application.

#### O R D E R

The Board of Supervisors of the County of Los Angeles

having filed its application with the Commission for permission to construct Waterdale Road at grade over the track of Southern Pacific Company, a public hearing having been held, the matter being under submission and ready for decision.

IT IS HEREBY ORDERED, that permission be and it is hereby granted the Board of Supervisors of the County of Los Angeles, State of California to construct Waterdale Road located between Sections 9 and 16 T 8. N R 12 W S.B.B. & M. at grade across track of Southern Pacific Company as shown by the map attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of its maintenance up to lines two (2) feet outside of the rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the rails shall be borne by Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(4) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(5) 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, the public convenience and necessity demand such action.

This order shall become effective ten (10) days from the making thereof.

Dated at San Francisco, California, this: 11<sup>th</sup> day of December, 1923.

C. M. Seawell  
H. B. Blanding  
J. W. Masten  
Commissioners.