

Decision No. 13451

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application
of The Atchison, Topeka and Santa
Fe Railway Company, a corporation,
for authority to construct a spur
track across R, 15th and S Streets
in the City of Bakersfield, California.)
Application No. 9944.

ORIGINAL

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 5th day of April, 1924, asking for authority to construct a spur track at grade across "R", Fifteenth and "S" Streets in the City of Bakersfield, County of Kern, State of California, as hereinafter set forth. The necessary permit has been granted by the City Council of said city for the construction of said crossings at grade, and it appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to provide grade separations or to avoid grade crossings with said "R", Fifteenth and "S" Streets at the points mentioned in this application, and that this application should be granted subject to the conditions hereinafter specified,

THEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to The Atchison, Topeka and Santa Fe Railway Company to construct a spur track at grade across "R", Fifteenth and "S" Streets in the City of Bakersfield, County of Kern, State of California, as follows:

"Commencing at the intersection of the A.T. & S.F. Ry. Co's second track with the west line of R. Street; thence on a curve to the right with a radius of 942.29 feet, a distance of 80.3 feet, to the east line of R Street; thence continuing on said curve 5.87 ft. to a point; thence on a curve to the right having a radius of 603.80 ft. a distance of 121.83 ft. to the north line of 15th Street, distant 136.8 ft. westerly from the southeast corner of Block 334, City of Bakersfield; thence continuing on said curve across 15th and S Streets, 235 ft. to a point in the east line of S Street, distant 79.5. south of the north line of 15th Street."

All of the above as shown by the map (No.V-18-194) attached to the application; said crossings to be constructed subject to the following conditions, viz:-

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

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said streets now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding two (2) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe for the passage thereover 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 crossings.

(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 crossings 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 three (3) days after the making thereof.

Dated at San Francisco, California, this 17th day of April, 1924.

Chas. H. ...
H. B. ...
Irving Martin
Egon Shore
J. M. Whitney
Commissioners.