

Decision No. 14064

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the)
Board of Supervisors of the County of)
Kern for an order authorizing the said)
County of Kern to construct a County)
Road over and upon the right of way of)
The Atchison, Topeka and Santa Fe Rail-)
way Company, between Section 36, Town-)
ship 26 South, Range 24 East, and)
Section 1, Township 27 South, Range)
24 East, M. D. B. & M.)

Application No. 10319.

ORIGINAL

BY THE COMMISSION:

O R D E R

The Board of Supervisors of the County of Kern, State of California, having filed the above entitled application with this Commission on the 25th day of July, 1924, asking for authority to construct a County Road at grade across the track of The Atchison, Topeka and Santa Fe Railway Company in said county, as hereinafter set forth. Said Railway Company has signified by letter that it has no objection to the construction of said crossing 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 a grade separation or to avoid a grade crossing with said track at the point 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 Board of Supervisors of the County of Kern, State of California, to construct a sixty (60) foot County Road, the center line of which follows along

the south line of Section 36, Township 26 south, Range 24 east, M. D. B. & M. at grade across the tracks of The Atchison, Topeka and Santa Fe Railway 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 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.

(2) The crossing shall be constructed of a width not less than twentyfour (24) feet and at an angle of ninety (90) degrees to the railroad and with grades of approach not greater than six 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 three (3) days from the making thereof.

Dated at San Francisco, California, this 16th day of
September, 1924.

C. Seamy
H. B. ...
J. ...

Commissioners.