

Decision No. 14267

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 Southern Pacific Railroad
between Secs. 26 and 27, Township 30
south, Range 37 east, M.D. B. and M.

Application No. 10324.

BY THE COMMISSION:

ORIGINAL

ORDER

Board of Supervisors of the County of Kern, State of California, filed the above entitled application with this Commission on the 25th day of July, 1924, asking for authority to construct a public road at grade across the track of Southern Pacific Company in said county, as hereinafter set forth. Said Southern Pacific 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 tracks 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 county road at grade across Southern Pacific Company's Owenyo Branch track as follows:

The center line of the proposed county road intersects the center line of said railroad at an angle of $52^{\circ} 35''$ on the west line of Section 26, Township 30 south, Range 37 east, M.D. E. & M. at a point 1083 feet south of the northwest corner of said Section 26, 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 Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of fifty-two (52) degrees to the railroad and with grades of approach not greater than six per cent; shall be protected by suitable crossing signs 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 17th day of November, 1924.

W. L. Seaver

H. R. Brundage

Irving Martin

Commissioners.