

Decision No. 14338

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
Southern Pacific Company for an
order authorizing the construction
at grade of a side track across
13th Avenue and a spur track
across 12th Avenue, in the City
of Delano, County of Kern, State
of California.

Application No. 10635.

ORIGINAL

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 26th day of November, 1924, asking for authority to construct a side track at grade across 13th Avenue and a spur track at grade across 12th Avenue, in the City of Delano, County of Kern, State of California, as hereinafter set forth. The necessary franchises have been granted by the Board of Supervisors of said County 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 at the points mentioned in this application with said 13th and 12th Avenues 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 Southern Pacific Company to construct a side track at grade across 13th Avenue and a spur track at grade across 12th Avenue, in the City of Delano, County of Kern, State of California, as follows:

Drill Track Across 13th Avenue:

Commencing at a point in the southerly boundary line of 13th Avenue, westerly 201 feet, measured along said southerly boundary line from the westerly boundary line of 8th Street, said point of commencement also being located opposite and at right angles easterly 19 feet from the Southern Pacific Railroad Company's main center line as located at Engineer Station 9884+73; thence in a northerly direction parallel to Railroad Company's main center line and 19 feet easterly therefrom 80 feet to an intersection with the northerly boundary line of said 13th Avenue.

Spur Track Across 12th Avenue:

Commencing at a point in the southerly boundary line of 12th Avenue, westerly 194 feet measured along said southerly boundary line from the westerly boundary line of 8th Street, said point of commencement also being located opposite and at right angles easterly 26 feet from the center of the Southern Pacific Railroad Company's main line as constructed at Engineer Station 9889+53; thence in a northerly direction measured along a line curving westerly 80 feet, more or less, to an intersection with the northerly boundary line of said 12th Avenue at a point 18 feet easterly from, measured at right angles to Railroad Company's main center line as constructed at Engineer Station 9888+73.

and as shown by the map (San Joaquin Division Drawing AB 2645) 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 tops of rails flush with the pavement, and with grades of approach not exceeding three (3) per cent at 13th Avenue and one (1) per cent at 12th Avenue; 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 in-

stallation of said crossings.

(4) If said crossings 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 4th day of December, 1924.

C. L. Seaver

H. B. Sandberg

Isaac M. Martin

Egerton Shore

J. T. Whittsey
Commissioners.