

Decision No. 14859.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the City of Bakersfield, a municipal corporation, for permission to construct a crossing of a public street over and across the spur track of the Southern Pacific Railroad Company and Southern Pacific Company, at its intersection with 34th Street, in the City of Bakersfield.

ORIGINAL

Application No. 10883

BY THE COMMISSION:

O R D E R

The City of Bakersfield, County of Kern, State of California, filed the above entitled application with this Commission on the 2d day of March, 1925, asking for authority to construct 34th Street, a public street, at grade across a gravel spur track of Southern Pacific Company near Union Avenue, in said City, 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 gravel spur 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 City of Bakersfield, County

of Kern, State of California, to construct 34th Street at grade across the gravel spur track of Southern Pacific Company near Union Avenue and as shown by the map (Plot - 34th & Bernard Streets), 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. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of approximately eighty (80) degrees to the railroad and with grade of approach not greater than five (5) 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 on the date hereof.

Dated at San Francisco, California, this 29th day of April, 1925.

H. H. Bunnidge

C. A. Seaver

George D. Squires

Commissioners.