

Decision No. 14889

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,
in the southwest quarter of Sec. 4,
Township 11 North, Range 12 West,
S.E.B. & M.) Application No. 10323.

BY THE COMMISSION:

ORDER

ORIGINAL

The 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, and filed an amended application on the 7th day of February, 1925, asking for authority to construct a public road at grade across the tracks of the 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 the amended Application, and that the amended 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 public road at grade across the tracks of the Southern Pacific Company, as follows:

"A strip of land, beginning at a point on the center line of the main line of the Southern Pacific Railroad from which point the southwest corner of Section four (4), Township eleven (11) North, Range twelve (12) West SEB&M, bears S41°20' W. 886.2 feet, and running thence N32°33' E. to intersect the northerly boundary of the right of way of said Railroad, thence southwesterly and along North boundary of the right of way of said Railroad a distance of 219.9 feet, thence S32°33' W. to intersect the Southerly boundary of the right of way of said Railroad, thence Northeasterly and along the south boundary of the right of way of said Railroad a distance of 219.9 feet, thence N32°33' E. to the place of beginning."

and as shown by the map attached to the amended 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 fifteen degrees fifty minutes (15°15') to the railroad and with grades of approach not greater than seven and one-half (7½) 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.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 7th day
of May, 1925.

H. B. Bourdage

C. S. Seaver

George D. Squires

Frank J. ...

Commissioners.