

Decision No. 15010.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

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 Sections 14 & 15, Township 28 South, Range 26 East, M.D.B.&M.

Application No. 10820.

BY THE COMMISSION:

ORDER

The Board of Supervisors of the County of Kern, State of California, filed the above entitled application with this Commission on the 7th day of February, 1925, asking for authority to construct a public road at grade across the tracks 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 public

road at grade across the tracks of Southern Pacific Company as follows:

Beginning at a point on the southerly boundary of the right of way of the Southern Pacific Railroad Company, which point lies on the west boundary of Section Fourteen (14) Township Twenty-eight (28) South, Range Twenty-six (26) East, MDM., and running thence southeasterly and along southerly boundary of said right of way a distance of 39.85 feet more or less to a point distant thirty feet, measured at right angles from the west boundary of said Section 14, thence northerly and parallel with west boundary of said Section 14, 168.0 feet, thence northeasterly in a direction perpendicular to the centerline of said railroad, 73.53 feet, thence northwesterly and parallel to the centerline of said railroad 144.0 feet, thence southerly and parallel to the west boundary of said Section 14, 265.67 feet more or less to the southerly boundary of the right of way of said railroad, thence southeasterly and along southerly boundary of said railroad right of way 39.85 feet to the place of beginning.

and 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. 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 said Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and as near an angle of ninety (90) degrees to the railroad as is feasible and with grades of approach not greater than two (2) 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 3rd day of June, 1925.

H. B. Brundage  
C. Seavey

George D. Iguier  
Edward C. ...

Commissioners.