

Decision No. 1584D

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application )  
of The Atchison, Topeka and Santa )  
Fe Railway Company, a corporation, )  
for authority to construct, operate )  
and maintain a passing track across )  
the County Road at Shafter, County )  
of Kern, State of California. )

Application No. 12398.

ORIGINAL

BY THE COMMISSION:

O R D E R

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 5th day of January, 1926, asking for authority to construct a passing track at grade across a County Road at Shafter, County of Kern, State of California, as hereinafter set forth. The necessary franchise or permit, dated December 21st, 1925, (Exhibit "B") has been granted by the Board of Supervisors of said County for the construction of said crossing at grade. 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 at the point mentioned in this application with said County Road 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 Atchison, Topeka and Santa Fe Railway Company to construct a passing track at grade across a County Road at Shafter, County of Kern, State of California, as follows:

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Commencing at a point in the west line of the County Road running north and south along the west line of Section 10, Township 28 South, Range 26 East, said point being 14 feet at right angles northeasterly from the center line of the main line of The Atchison, Topeka and Santa Fe Railway Company, thence southeasterly and parallel to said main line 85 feet to the east line of said County Road.

and as shown by the map (Div. Eng. Drawing V-12-3) attached to the application; said crossing to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed substantially in accordance with Standard No. 3, as specified in General Order No. 72 of this Commission and shall be constructed of a width to conform to that portion of said road now graded, with the tops of rails flush with the roadway and with grades of approach not exceeding four (4) per cent on the north side and three (3) per cent on the south side of the crossing; shall be protected by a suitable crossing sign, 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 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 13<sup>th</sup> day of January, 1926.

W. H. Bondage

C. Seavey

George D. Squires

Leon Whitell

Commissioners.