

ORIGINAL

Decision No. 17238.

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 a spur
track across "Q" Street in the
City of Bakersfield, County of
Kern, State of California.

Application No. 13095.

BY THE COMMISSION:

O R D E R

The Atchison, Topeka & Santa Fe Railway Company, a corporation, filed the above-entitled application with this Commission on the 9th day of August, 1926, asking for authority to construct a spur track at grade across "Q" Street in the city of Bakersfield, County of Kern, State of California, as hereinafter set forth. The necessary franchise or permit dated May 10, 1926 (Exhibit "B"), has been granted by the City Council of said City of Bakersfield 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 "Q" Street, 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 & Santa Fe Railway Company to construct a spur track at grade across "Q" Street, in the City of Bakersfield, County of Kern, State of California, as follows:

Commencing at a point in the east line of "Q" Street 3.5 feet south of the southwest corner of lot 4, Block 333; thence west 11 feet; thence to the right on a 10 degree curve concave northerly, 61 feet; thence reversing on a 10 degree curve concave southerly, 10.5 feet to a point in the west line of "Q" Street, 0.8 feet north of the southeast corner of lot 1, Block 332; as shown hereon in red;

and as shown by the map Div'n. Eng. Dwg. No. V-4-376 attached to the application; said crossing to be constructed subject to the following conditions, namely:

(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 the applicant.

(2) Said crossing shall be constructed equal or superior to type shown as Standard No. 2, in General Order No. 72 of this Commission and shall be constructed without superelevation and of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding one (1) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage whereover 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 17th day of August, 1926.

H. B. Rindge

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Leon Whittell

Thos. S. Rindge
Commissioners.