

Decision No. 17248

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of
Southern Pacific Company for an
order authorizing the construction
at grade of a proposed spur track
across "Q" Street and two (2) pro-
posed spur tracks across James, 26th
and 24th Streets, in the City of
Bakersfield, County of Kern, State
of California.

ORIGINAL

Application No. 13075.

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, filed the above-entitled application with this Commission on the 2nd day of August, 1926, asking for authority to construct a spur track at grade across "Q" Street and two (2) spur tracks at grade across James, 26th and 24th Streets, in the City of Bakersfield, County of Kern, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 272 N.S.) has been granted by the City Council of said City of Bakersfield for the construction of said crossings 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 grade separations or to avoid grade crossings at the points mentioned in this application with said "Q", James, 26th and 24th Streets 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 Southern Pacific Company to construct a spur track at grade across "Q" Street and two (2) spur tracks at

grade across James, 26th and 24th Streets, in the City of Bakersfield, County of Kern, State of California, as follows:

Center Line Description of Track "A".

Commencing at the intersection of the northerly line of 26th Street with the westerly line of "Q" Street as shown on that certain map entitled "Homaker Park". Said map filed for record April 1, 1915, in the office of County Recorder in Map Book 3, page 9, Kern County Records. Thence northerly along said westerly line of "Q" Street a distance of 330 feet to point of beginning of center line of track "A" being described; thence in a southeasterly direction along a circular curve to the left having a radius of 17208.8 feet, parallel and 20.0 feet measured at right angles southwesterly from the center line of the Southern Pacific Railroad Company's main railroad track, a distance of 100 feet to an intersection with the easterly line of said "Q" Street at a point 275 feet measured northerly along said easterly line of "Q" Street from its intersection with said northerly line of 26th Street; thence across private property to an intersection with the northeasterly line of County Road Number 142 (now known officially as James Street according to City of Bakersfield Ordinance No. 198 New Series dated November 5, 1923) at a point 320 feet measured southeasterly along said northeasterly line of James Street from its intersection with said easterly line of "Q" Street; thence in a southeasterly direction along a circular curve to the right having a radius of 461.4 feet a distance of 65.92 feet to end of curve; thence continuing in a southeasterly direction tangent to last described curve a distance of 75.9 feet to beginning of curve; thence continuing in a southeasterly direction along a circular curve to the right having a radius of 273.57 feet a distance of 65 feet to an intersection with the southwesterly line of said James Street at a point 15 feet measured southeasterly along said southwesterly line of James Street from its intersection with the southerly line of 26th Street as shown on said map; thence in a southeasterly and southerly direction across private property to an intersection with the northerly line of 24th Street at a point 98.25 feet measured easterly along said northerly line of said 24th Street from its intersection with the easterly line of "R" Street as shown on that certain map entitled "Sales Map of the Kern County Land Company, showing subdivisions of its additions to the City of Bakersfield, Kern County, California." Said map filed for public record, April 19th, 1904, in the office of County Recorder in Map Book. Thence continuing southerly at right angles to said northerly line of 24th Street a distance of 82.50 feet to an intersection with the southerly line of said 24th Street to end of center line of track "A" being described.

Center Line Description of Track "B".

Commencing at the intersection of the said easterly line of "Q" Street with said northeasterly line of James Street; thence southeasterly along said northeasterly line of James Street a distance of 285 feet to point of beginning of center line of Track "B" being described; thence in a southeasterly direction along a circular curve to the right having a radius of 461.4 feet a distance of 10 feet to end of curve; thence

continuing in a southeasterly direction tangent to last described curve a distance of 168.69 feet to beginning of curve; thence continuing in a southeasterly direction along a circular curve to the right having a radius of 260.57 feet a distance of 50 feet to an intersection with said southwesterly line of James Street at a point 40 feet measured easterly along the southerly line of 26th Street from its intersection with the easterly line of "R" Street as shown on said map entitled "Sales Map of the Kern County Land Company showing subdivisions of its additions to the City of Bakersfield, Kern County, California." Thence in a southeasterly and southerly direction across private property to an intersection with said northerly line of 24th Street at a point 85.25 feet measured easterly along said northerly line of 24th Street from its intersection with said easterly line of "R" Street. Thence continuing southerly at right angles to said northerly line of 24th Street a distance of 82.50 feet to an intersection with the southerly line of said 24th Street to end of center line of Track "B" being described;

and as shown by the map (San Joaquin Div'n. Dwg. B-2916, Sheet No. 2) attached to the application; said crossings to be constructed subject to the following conditions, namely:

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

(2) Said crossings of "Q", James and 26th Streets shall be constructed equal or superior to Standard No. 2-B, and said crossings of 24th Street shall be constructed equal or superior to type Standard No. 3-A, all as shown in General Order No. 72 of this Commission; all of said crossings to be constructed of a width to conform to those portions of said streets now graded, with the tops of rails flush with the roadway or pavement, and with grades of approach not exceeding four (4) per cent on James, "Q" and 26th Streets and one (1) per cent on 24th Street; shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and other road traffic. Said crossings of James and 26th Streets shall be constructed without superelevation.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(4) If said crossings 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 crossings 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 20th day of August, 1926.

H. B. Brundage

C. S. Seaver

Thos. S. Houston

Commissioners.