

Decision No. 18256.

ORIGINAL

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 the state highway near  
Amargo, Kern County, California.

Application No. 13661.

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 2nd day of April, 1927, asking for authority to construct a spur track at grade across the State Highway in the vicinity of Amargo, County of Kern, State of California, as hereinafter set forth. The necessary permit has not been granted by the California Highway Commission for the construction of said crossing at grade, but applicant has stated that such permit has been applied for and will be filed. 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 State Highway 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 spur track at grade across the State Highway in the southeast quarter of the southeast quarter of Section 36, Township 11 North, Range 8 West, S.B.M. in the vicinity of Amargo, in the County of Kern, State of California, the center line of which

track across said highway being described as follows:

Beginning at a point in the southerly line of said highway distant 328.04 feet westerly along said southerly line from the east line of said Section 36 at a point 574.08 feet north from the southeast corner of said Section 36; thence northwesterly along a curve concave to the northeast and having a radius of 1146.28 feet, 60.59 feet to the northerly line of said highway at a point distant 370.73 feet westerly along said northerly line of highway from the east line of said Section 36; said curve intersects the center line of said highway at a northwest angle of 41 degrees 30 minutes with said center line of spur track.

The location of said track across said highway is shown in red on print of drawing No. 70-17674, attached to the application and marked "Exhibit A".

The above crossing shall be identified as Crossing No. 2-784.93C.

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 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 Highway now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding two (2) per cent; 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.

(3) Applicant shall within sixty (60) days submit a certified copy of a franchise or permit from the California Highway Commission for the construction of said crossing at grade and in the event that this is not done, the authorization herein granted

for the installation of said crossing shall lapse and thereupon become null and void and of no further force and effect.

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

(5) 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.

(6) 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 20<sup>th</sup> day of

April, 1927.

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Commissioners.