

Decision No. 19354.

ORIGINAL

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of the Board of Supervisors of Kern  
County for an Order authorizing the  
construction of a crossing by the  
County of Kern over the tracks of  
the Southern Pacific Company, at a  
point one thousand (1,000) feet east  
of the present railroad crossing on  
the Bakersfield-Tehachapi-Mojave  
Highway in Section Thirty (30),  
Township Thirty-two (32) South,  
Range Thirty-four (34) east, M.D.B.  
& M.

Application No. 14,412.

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 8th day of February, 1928, asking for authority to construct a public road known as Bakersfield-Tehachapi-Mohave Highway at grade across the tracks of Southern Pacific Company's Valley Route from San Francisco to Los Angeles, in the vicinity of Monolith, as hereinafter set forth. Map attached to application shows that the existing crossing one-thousand (1,000) feet west of the proposed crossing is to be abandoned. 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 county road, known as the Bakersfield-Tehachapi-Mojave Highway at grade across the tracks of Southern Pacific Company near Monolith at the location hereinafter particularly described and as shown by the map attached to the application.

DESCRIPTION OF CROSSING.

A strip of land sixty (60) feet in width, extending from the northerly boundary of the right-of-way of the Southern Pacific Railroad to the southerly boundary thereof, and lying along and for thirty (30) feet on each side of a center line, which center line bears north  $54^{\circ} 37'$ , east and south  $54^{\circ} 37'$ , west from Engineers Station 14,365 + 54 on center line of the main track of said railroad, - all in Section Thirty (30), Township Thirty-two (32) south, Range Thirty-four (34) east, M.D.B. & M.

The above crossing shall be identified as Crossing No. B-365.2.

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The existing public crossing (No. B-365.0), one thousand feet west of crossing herein authorized, shall, upon the completion of said crossing, be legally abandoned and effectively closed to public use and travel.

(2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance

of those portions of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance 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 Southern Pacific Company.

(3) An automatic flagman shall be installed and maintained for the protection of said crossing. Said automatic flagman shall be of a type and installed in accordance with Standard No. 3, as specified in General Order No. 75 of this Commission. Said automatic flagman shall be installed at expense of applicant and maintained thereafter at expense of Southern Pacific Company.

(4) The crossing shall be constructed of a width not less than twenty-four (24) feet or more than forty (40) feet and at an angle of forty-five (45) degrees to the railroad and with grades of approach not greater than three (3) per cent; shall be constructed equal or superior to Standard No. 2, as specified in General Order No. 72 of this Commission; shall be protected by a Standard No. 1 crossing sign, as specified in General Order No. 75, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

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

(6) 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.

(7) 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 14<sup>th</sup> day of February, 1928.

Leon Whitell  
W. S. ...  
Emmanuel ...  
John S. ...  
W. J. ...  
 Commissioners.