

Decision No. 19717.

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 in Section Twenty-seven (27), Township Twenty-five (25) South, Range Twenty-six (26) East, M. D. M.

**ORIGINAL**

Application No. 14538.

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 26th day of March, 1928, asking for authority to construct a public road in Section 27, Township 25 South, Range 26 East, M. D. M., at grade across the track of Southern Pacific Company, in the vicinity of Jasmine Station as hereinafter set forth. 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 track 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 at grade across the track of Southern Pacific Company at the location hereinafter particularly described and as shown by the map attached to the application.

Description of Crossing

That said crossing embraces a strip of land sixty (60) feet in width lying along and for thirty (30) feet on each side of the North boundary of the South half of Section 27, Township 25, South, Range 26 East, M. D. M., and extending from the westerly boundary of the right of way of the Southern Pacific Railroad to the easterly boundary thereof.

The above crossing shall be identified as Crossing No. B.C. 300.4.

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

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.

(2) The crossing shall be constructed of a width not less than twenty (20) feet and at an angle to the railroad as shown on the map attached to the application and with grades of approach not greater than five (5) per cent; shall be constructed substantially in accordance with 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 of this Commission and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

(3) The existing public crossing at grade located approx-

imately one hundred seventy-five feet north of the crossing herein authorized shall be legally abandoned and effectively closed to public use and travel.

(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 8<sup>th</sup> day of May, 1928.

Leon Whittell  
Chairman  
Commissioners  
John D. Leland  
Commissioners.