

Decision No. 19868.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of application of
SOUTHERN PACIFIC COMPANY for an
order authorizing the construc-
tion at grade of a side track
across Mt. Vernon Avenue, in the
vicinity of Bakersfield, County
of Kern, State of California.

Application No. 14738.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 26th day of May, 1928, asking for authority to construct a side track at grade across Mt. Vernon Avenue in the vicinity of Bakersfield, County of Kern, State of California, as hereinafter set forth. The necessary franchise or permit has been granted by the Board of Supervisors of said County 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 Mt. Vernon Avenue 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 side track at grade across Mt. Vernon Avenue in the vicinity of Bakersfield, County of Kern, State of California, at the location

hereinafter particularly described and as shown by the map (San Joaquin Division Drawing No. A 2301) attached to the application.

Description of Crossing

Commencing at the east quarter corner of Section 28, Township 29 South, Range 28 East, Mt. Diablo Base and Meridian; thence South $0^{\circ} 11'$ west along the east line of said Section 28 a distance of 1546.15 feet to a point; thence South $89^{\circ} 49'$ east a distance of 30.0 feet to an intersection with the east line of County Highway known as Mt. Vernon Avenue. Last described point being point of beginning of center line of proposed drill track hereinafter described; thence north $67^{\circ} 25'$ west a distance of 21.53 feet to beginning of curve; thence along a circular curve to the left (the tangent of said curve at last mentioned point is the last described course) having a radius of 764.08 feet a distance of 50.72 feet more or less to an intersection with the west line of said County Highway known as Mt. Vernon Avenue to end of center line of proposed drill track hereinbefore described.

The above crossing shall be identified as a portion of Crossing No. B-314.4.

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

(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. 3, 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 avenue now graded, with the tops of rails at same elevation as the rails of the adjacent tracks and flush with the pavement, and with grades of approach not exceeding two (2) per cent; 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 thereover 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 8th day of June, 1928.

Leon Whiteley
Clarence
Edmund
Pho & Laiter
M. J. Lee
 Commissioners.