

Decision No. 20455.

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 abandon present
main line tracks across State
Highway and relocate crossing,
at Mojave, County of Kern, State
of California.

Application No. 15037.

BY THE COMMISSION:

ORIGINALORDER

The Atchison, Topeka and Santa Fe Railway Company, a corporation, filed the above entitled application with this Commission on the 12th day of September, 1928, asking for authority to construct a main line track at grade across the State Highway in the vicinity of Mojave, County of Kern, State of California. The necessary permit (No. 76056) has been granted by the Department of Public Works, Division of Highways of the State of California 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 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 main line track at grade across the State Highway in the vicinity of Mojave, County of Kern, State of California, at the location as shown by the map (Div. Engrs. Drwg. No. 10-409) attached to the application.

The above crossing shall be identified as Crossing No. 2-287.9.

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 of a width to conform to that portion of said Highway now graded, with the tops of rails 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) A Standard No. 3 wigwag as specified in General Order No. 75 of this Commission shall be installed and maintained for the protection of said Crossing No. 2-817.9 at the sole expense of applicant.

(4) Applicant shall remove the tracks shown in yellow on the map (Div. Engrs. Drwg. No. 10-409) attached to the application in so far as they lie in the Highway; and shall repair

the Highway to conform to the remainder thereof.

(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 15th day of November, 1928.

C. L. Seamy

Wm. J. ...

Paul ...

Commissioners.