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Decision No. 20600

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of application of Southern Pacific Company for an order authorizing the construction at grade of five yard tracks across Haley Street, in the City of Bakersfield, County of Kern, State of California.

Application No. 15219.

BY THE COMMISSION:

ORDER

Southern Pacific Company, a corporation, filed the above entitled application with this Commission on the 23rd day of November, 1928, asking for authority to construct five yard tracks at grade across Haley Street, in the City of Bakersfield, County of Kern, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No. 517 N.S.) has been granted by the City Council of said City for the construction of said crossings 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 grade crossings at the points mentioned in this application with said Haley Street 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 five yard tracks at grade across Haley Street, in the City 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-2055, Sheet No. 2) attached to the application.

Description of Crossing

Center Line Description of Track "A":

Commencing at the intersection of the southerly line of Kentucky Street with the westerly line of Haley Street, as shown on that certain map entitled "Map of Kern, Kern County, California," said map filed for public record, in office of County Recorder, April 10th, 1993, in Volume 1 of Maps, pages 53 and 54, Kern County, California Records; thence south $16^{\circ} 13'$ west along said westerly line of Haley Street a distance of 442.19 feet to point of beginning of center line of Yard Track "A"; thence south $73^{\circ} 47'$ east a distance of 80.0 feet to an intersection with the easterly line of said Haley Street to end of center line of said Yard Track "A" hereinbefore described.

Center Line Description of Track "B":

Commencing at the intersection of said southerly line of Kentucky Street with said westerly line of Haley Street; thence south $16^{\circ} 13'$ west along said westerly line of Haley Street a distance of 429.19 feet to point of beginning of center line of Yard Track "B"; thence south $73^{\circ} 47'$ east a distance of 80.0 feet to an intersection with the easterly line of said Haley Street to end of center line of said Yard Track "B" hereinbefore described.

Center Line Description of Track "C":

Commencing at the intersection of said southerly line of Kentucky Street with said westerly line of Haley Street; thence south $16^{\circ} 13'$ west along said westerly line of Haley Street a distance of 403.19 feet to point of beginning of center line of Yard Track "C"; thence south $73^{\circ} 47'$ east a distance of 80.0 feet to an intersection with the easterly line of said Haley Street to end of center line of said Yard Track "C" hereinbefore described.

Center Line Description of Track "D":

Commencing at the intersection of said southerly line of Kentucky Street with said westerly line of Haley Street; thence south $16^{\circ} 12'$ west along said westerly line of Haley Street a distance of 390.19 feet to a point of beginning of center line of Yard Track "D"; thence south $73^{\circ} 47'$ east a distance of 80.0 feet to an intersection with the east line of said Haley Street to end of center line of said Yard Track "D" hereinbefore described.

Center Line Description of Track "E":

Commencing at the intersection of said southerly line of Kentucky Street with said westerly line of Haley Street; thence south $16^{\circ} 13'$ west along said westerly line of Haley Street a distance of 386.35 feet to point of beginning of center line of Yard Track "E"; thence south $61^{\circ} 57'$ east a distance of 50.55 feet to beginning of curve; thence along a circular curve to the right (the tangent of said curve at last mentioned point is the last described course) having a radius of 477.68 feet a distance of 50.16 feet more or less to an intersection with the easterly line of said Haley Street to end of center line of said Yard Track "E" hereinbefore described.

The above crossings shall be identified as a portion of Crossing No. B-313.5.

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

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings 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 of a width to conform to that portion of said street now graded, with the tops of rails at same elevation as main line rails and flush with the pavement, and with grades of approach not exceeding three (3) per cent; shall be protected by Standard No. 1 crossing signs, 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 remove the track shown in yellow on the map (San Joaquin Division Drawing No. A-2055, Sheet No. 2) attached to the application, in so far as it lies in Haley Street, and shall repair the street to conform to the remainder thereof.

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

(5) If said crossings 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 crossings 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 14th day of December, 1928.

Olson

Emerson

Paul D. Lantz

 Commissioners.

