

Decision No. 15352.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
The People of the State of California,
on Relation of the Department of Public
Works, Division of Highways, for an
order authorizing the construction of
State Highway Crossings at grade over
the tracks of the Southern Pacific Rail-
road, near Mojave, Kern County, California.)

ORIGINAL

Application No. 15352.

BY THE COMMISSION:

O R D E R

The People of the State of California, acting by and through the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 25th day of January, 1929, asking for authority to construct California Highway Commission Road IX-Ker-23-B at grade across the track of Owenyo Branch of Southern Pacific Company, and at grade across spur track to the Los Angeles Aqueduct Maintenance Yard in the vicinity of the town of Mojave, Kern County, as hereinafter set forth. Said Southern Pacific Company has signified by letter that it has no objection to the construction of said crossings 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 grade separations or to avoid grade

crossings with said tracks at the points 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 People of the State of California on relation of the Department of Public Works, Division of Highways to construct California Highway Commission Road IX-Ker-23-B at grade across the track of Owenyo Branch of Southern Pacific Company, and at grade across the spur track to the Los Angeles Aqueduct Maintenance Yard in the vicinity of Mojave, Kern County, all of which as shown by the map attached to the application.

The crossing over the Owenyo Branch shall be identified as Crossing No. BAM-380.2.

The crossing over the spur track to the Los Angeles Aqueduct Maintenance Yard shall be identified as Crossing No. B-379.8-C.

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

(1) The entire expense of constructing the crossings, including the cost of moving Southern Pacific Company's Culvert No. 380-A, at Crossing No. BAM-380.2, shall be borne by applicant. The cost of maintenance of that portion of said crossings outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossings between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.

(2) The crossings shall be constructed of a width not

less than twenty-four (24) feet and at an angle to the railroad as shown by the map attached to the application, and with grades of approach not greater than three (3) 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 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 thereon of vehicles and other road traffic.

(3) The existing public crossing at grade of county road over Owenyo Branch of Southern Pacific Company, designated as Crossing BAM-381.1, and at a location as shown on map attached to the application 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 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 9th day of April, 1929.

Thos. L. Smith
C. L. Lanning

Leon Whitell
W. J. Lee
Commissioners.