

Decision No. 22455.

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
an undergrade crossing under the tracks
of The Atchison, Topeka and Santa Fe
Railway Company at Wasco, Kern County.

ORIGINAL

Application No. 16522.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, Division of Highways, filed the above entitled application with this Commission on the 8th day of May, 1930, asking authority to construct a public highway at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company at Wasco, Kern County. The Atchison, Topeka and Santa Fe Railway Company has signified that it has no objection to the construction of said undergrade crossing and a certified copy of the agreement covering the terms of construction and maintenance and the division of costs thereof has been filed with the Commission. It appears to this Commission that this is not a matter in which a public hearing is necessary and it is in the interest of public convenience and necessity that the undergrade crossing be constructed 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 a public highway at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company at Wasco, County of Kern, State of California, at the location shown on the blue print attached to the application and substantially in accordance with said blue print.

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

(1) The entire expense of constructing the crossing together with its maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne in accordance with the terms of the agreement dated April 18th, 1930, filed with the application.

(2) Said crossing shall be constructed with clearances conforming to the provisions of General Order No. 26-C of this Commission and in accordance with plans having been approved by this Commission.

(3) Upon completion of said crossing, Crossing No. 2-913.2, located approximately one thousand eight hundred seventy (1,870) feet south 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 undergrade 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 and maintenance of said undergrade 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 20th day of May, 1930.

Cl. Sperry
Ernest W. Smith
Walter L. Smith

 Commissioners.