

Decision No. 22827.

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 alteration of a
 State highway crossing at grade over
 the track and spur track of the Sunset
 Railroad near Pentland Junction, Kern
 County, California.

ORIGINAL

Application No. 16801.

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 9th day of August, 1930, asking for authority to reconstruct and alter its State Route No. 57 at grade across the tracks of the Sunset Railway Company at locations identified as Crossing No. 42-27.8 and No. 42-B-0.3 in the vicinity of Pentland, Kern County, as hereinafter set forth. Said Sunset Railway Company has signified by letter that it has no objection to the alteration 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 a grade separation 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 reconstruct and alter its State No. 57 at grade across the tracks of the Sunset Railway Company at the locations identified as Crossing No. 42-27.8 and No. 42-B-0.3 and as shown by the map (Sheet 1 - IV-Ker-57-B) attached to the application.

Said crossings shall be altered and reconstructed subject to the following conditions:

(1) The cost of relocating and altering the crossings shall be borne by applicant in accordance with its request. The cost of maintenance of those portions of said crossings outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of the crossings between lines two (2) feet outside of the outside rails shall be borne by the Sunset Railway Company.

(2) The crossings shall be constructed of a width not less than thirty-six (36) feet and at an angle and with grades of approach as shown by the map attached to the application; shall be constructed substantially in accordance with Standard No. 3 as specified in General Order No. 72 of this Commission; shall each 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 thereon of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the

relocation and alteration of said crossings.

(4) If said crossings shall not have been relocated and altered 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 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 30th
day of August, 1930.

Chas. J. ...

Leon ...

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Commissioners.