

Decision No. 23713.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the Board of Supervisors of Kern County for an Order authorizing the construction of a crossing by the County of Kern over the tracks of the Southern Pacific Railroad, in the vicinity of Miles Post B T - 345.1.

**ORIGINAL**

Application No. 16835.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

County of Kern, applicant herein, having requested in writing that the Commission modify Condition 4 in that portion of its Decision No. 23175, dated December 13, 1930, which relates to Application No. 16835, to provide that only the private crossing located immediately east of the proposed public crossing be closed.

Southern Pacific Company, under date of May 7, 1931, has stated it has no objection to such modification, and good cause appearing,

IT IS HEREBY ORDERED that Condition 4 of that portion of the Commission's Decision No. 23175, which relates to Application No. 16835, be modified to read as follows:

4. Prior to the beginning of the actual construction of the crossing herein authorized, the County of Kern shall file with this Commission a certified copy of an appropriate ordinance or resolution duly and regularly passed, abandoning any rights which the county may have in the private crossing located east of the crossing herein authorized and shall also

file with the Commission the consent of the landowners for whose benefit said crossing is maintained to the closing of said crossing. Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, said private crossing shall be effectively closed to public use.

In all other respects the Commission's Decision No. 23175, in the above entitled application, shall remain in full force and effect.

Dated at San Francisco, California, this 18<sup>th</sup>  
day of May, 1931.

C. Seaver  
Leon White  
W. A. Lee  
W. B. Davis  
Fred G. Stewart  
Commissioners.