

**ORIGINAL**

Decision No. 10169

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of Southern Pacific Company for permission to construct a spur track at grade across County Road in the vicinity of Magunden, County of Kern, State of California.

Application No. 7597.

**By The Commission:**

O R D E R

Southern Pacific Company, a corporation, having on February 25, 1922, filed with the Commission an application for permission to construct a spur track at grade across County Road in the vicinity of Magunden, County of Kern, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the Board of Supervisors of said County of Kern for the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said County Road, and that this application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED, that permission be and it is hereby granted Southern Pacific Company to construct a spur track at grade across County Road in the vicinity of Magunden, County of Kern State of California, described as follows:

Commencing at a point in the westerly boundary line of County Road, said County Road being thirty (30) feet on each side of section line common to Sections 35 and 36 - Township 29 South, Range 28 East, Mt. Diablo Base and Meridian, said point being distant 41.3 feet northerly, measured along said westerly boundary line of said County Road, from the center line of Southern Pacific Railroad Company's constructed and operated east bound main track at Engineer Station 11788 plus 61.1; thence running easterly in a curve to the right having a radius of 573.14 feet, a distance of 60.5 feet more or less to a point in the easterly boundary line of said County Road, said point being distant 51.0 feet northerly, measured along said easterly boundary line of said County Road, from said center line of said Southern Pacific Railroad Company's constructed and operated east bound main track at Engineer Station 11789 plus 23.7,

all of the above as shown by the map marked "San Joaquin Division Drawing A-2002, Sheet 2", attached to the application; said crossing to be constructed subject to the following conditions, viz:

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

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of County Road now graded, with grades of approach not exceeding three (3) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

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

(4) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order 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 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.

Dated at San Francisco, California, this 8<sup>th</sup> day of March,  
1922.

H. B. Brundage  
H. D. Loveland

J. H. Quinn

Commissioners.