

Decision No. 706235

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the matter of the application of
The Atchison, Topeka & Santa Fe Railway
Company for permission to construct a
spur track at grade across Tulare and
Inyo Streets in the City of Bakersfield,
County of Kern, State of California.

Application No. 7655.

By The Commission:

O R D E R

The Atchison, Topeka & Santa Fe Railway Company, a corporation, having on March 18th, 1922, filed with the Commission an application for permission to construct a spur track at grade across Tulare Street, Inyo Street and an alley in blocks 143 and 144, in the City of Bakersfield, County of Kern, State of 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 Council of said City of Bakersfield for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Tulare Street, Inyo Street and the alley in blocks 143 and 144, 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 The Atchison, Topeka & Santa Fe Railway Company to construct a spur track at grade across Tulare Street, Inyo Street and an alley in blocks 143 and 144 in the City of Bakersfield, County of Kern, State of California, described as follows:

Commencing at a point 17.75 feet easterly of the easterly line of Tulare Street and 4 feet northerly of the northerly line of Eureka Street, thence northwesterly on a curve to the right having a radius of 398.94 feet a distance of 165.19 feet, thence northwesterly on a tangent a distance of 99.94 feet, thence northwesterly on a curve to the left having a radius of 955.37 feet a distance of 260.14 feet to the easterly line of Inyo Street, thence continuing on said curve a distance of 157.91 feet to a point 77.91 feet westerly of the westerly line of Inyo Street, said point being 4 feet northerly of the northerly line of Alley in Block 144, thence westerly parallel with and distant 4 feet northwesterly of the northerly line of Alley, 322.09 feet to the westerly line of Sonora Street,

all of the above as shown by the map attached to the application; said crossings to be constructed subject to the following conditions, viz:

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

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of Tulare Street, Inyo Street, and the alley in Blocks 143 and 144 now graded, with grades of approach not exceeding two (2) per cent; shall be protected by suitable crossing signs 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 crossings.

(4) The authorization herein granted for the installation of said crossings 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 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.

Dated at San Francisco, California, this 27^d day of March, 1922.

H. H. Brundage

Frederic Martin

J. H. [unclear]

Commissioners.