

Decision No. 10689

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of  
The Atchison, Topeka & Santa Fe Rail-  
way Company, a corporation, for per-  
mission to construct a spur track at  
grade across County Road at Shafter  
in the County of Kern, State of  
California.

Application No. 8015

BY THE COMMISSION:

O R D E R

The Atchison, Topeka & Santa Fe Railway Company, a corporation, having on July 6, 1922, filed with the Commission an application for permission to construct a spur track at grade across County Road on line between Section 9 and Section 10, T.28 S., R.25 E., M.D.B. & M. at Shafter in the 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 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 The Atchison, Topeka & Santa Fe Railway Company to construct a spur track at grade across County Road on line between Section 9 and Section 10, T.28 S., R.25 E., M.D.B. & M. in

the County of Kern, State of California, described as follows:

Commencing at a point 125 feet south and 30 feet west of the one-quarter corner of Section 9, Township 28 South, Range 25 East, M.D.B. & M., said point being in the west line of the county road running north and south between Sections 9 and 10, above township and range, thence southeasterly on a curve to the right, having a radius of five hundred and seventy-three and seven-tenths feet, a distance of seventy-nine and eight-tenths feet, thence on a curve to the left having a radius of five hundred and seventy-three and seven-tenths feet to the east line of said road.

All of the above as shown by the map, Division Engineer's drawing No. A-3926, 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 said 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 10<sup>th</sup> day of July, 1922.

H. B. Brundage  
James Martin

J. H. McDonald  
Commissioners.