

Decision No. 10690

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 its second main line track) Application 8021.
at grade across County roads between)
Magunden and Sivert, County of Kern,)
State of California.)

BY THE COMMISSION:

O R D E R

Southern Pacific Company, a corporation, having on July 7, 1922, filed with the Commission an application for permission to construct its second main line track at grade across County roads between Magunden and Sivert, 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 crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said County roads, 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 its second main line track at grade across County roads between Magunden and Sivert, County of Kern, State of California, described as follows:

MAGUNDEN. BEGINNING at a point in the westerly line of the above public road said point lying northerly 13 feet, more or less, from and at right angles to Engineer Station 11843 plus 35.6, said Engineer Station being a point in the center of the Southern Pacific Railroad Company main line; thence easterly 62.3 feet, more or less, curving northerly to an intersection with the easterly boundary line of said County Road 22 feet northerly from and at right angles to Engineer Station 11843 plus 97.9, more or less. (Print A-2109.)

MAGUNDEN-EDISON. BEGINNING at a point in the westerly boundary line of the public road in Sec. 31, T. 29 S., R. 29 E., M.D.B. & M., said point lying northerly 13 feet from and at right angles to Engineer Station 11895 plus 30.1, also said point of beginning is located north $73^{\circ} 08'$ West 235 feet, more or less, from the intersection of the line between Sec. 31 and 32, T. 29 S., R. 29 E., M.D.B. & M. and the center line of the second main line track of the Southern Pacific Railroad Company; thence in an easterly direction parallel to and 13 feet northerly from the center of the Southern Pacific Railroad Company main line 62.3 feet to an intersection with the easterly boundary line of said public road. (Print A-2110.)

EDISON. BEGINNING at a point in the westerly line of D St., 87 feet southerly from the southwest corner of D and 4th Streets; thence easterly parallel to 4th Street, 100 feet to an intersection with the easterly line of D Street. (Print A-2111.)

EDISON. BEGINNING at a point in the westerly boundary line of a County Road, said point lying 13 feet northerly from and at right angles to Engineer Station 11981 plus 91, a point in the center of the Southern Pacific Railroad Company main line; thence easterly parallel to said center line and 13 feet northerly therefrom 62.3 feet to an intersection with the easterly boundary line of said County Road. (print A-2112.)

SIVERT. BEGINNING at a point in the westerly boundary line of the Public road located in the N. $1/2$ of S.E. $1/4$ of S.E. $1/4$ of Section 7, T. 30 S., R. 30 E., M.D.B. & M., said point of commencement being located at right angles northerly 26 feet from the center of Southern Pacific Railroad Company main center line as constructed at Engineer Station 12229 plus 80.3; thence easterly parallel to said railroad center line and 26 feet northerly therefrom 50 feet to an intersection with the easterly boundary line of said public road. (Print A-2113.)

All of the above as shown by the maps 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 County roads now graded, with grades of approach not exceeding four (4) per cent:

(3) Each crossing shall be protected by two suitable crossing signs, one on each side of the tracks, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

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

(5) 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.

(6) 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 10th day of July, 1922.

H. C. B. D. 92
Erving Martin

J. J. P. 1922
Commissioners.