

Decision No. 322

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In the matter of the application of )  
THE ATCHISON, TOPEKA & SANTA FE )  
RAILWAY COMPANY, a corporation, for )  
permission to construct an industry )  
track at grade across certain public )  
streets in the City of Bakersfield, )  
Kern County, California. )  
.....)

Application 269.

ORIGINAL

O R D E R

By the Commission.

THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY, a corporation, having on October 22, 1912, filed with the Commission its application for permission to construct an industry track at grade across certain public streets in the City of Bakersfield, Kern County, California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary, that applicant has secured the necessary franchise or permit from the Board of Trustees of the City of Bakersfield, to construct said crossings at grade, that it is not reasonable nor practicable to avoid grade crossings with said public streets, and that the application should be granted subject to the conditions hereinafter specified,

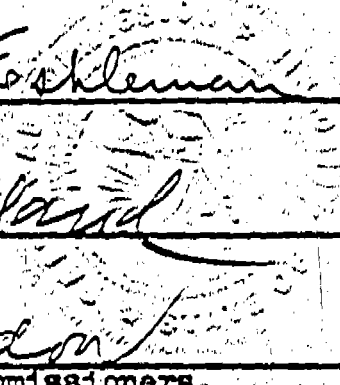
IT IS HEREBY ORDERED that permission be hereby granted THE ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY to construct an industry track at grade in the City of Bakersfield, Kern County, California, across "L" Street, "M" Street, "N" Street, "O" Street, "P" Street and "Q" Street, as shown by the map attached to the application and subject to the following conditions, viz.:

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

(2) Applicant shall provide the necessary crossing plank or guard rails for said crossings and shall ballast same with first-class broken stone or gravel ballast to a depth of not less than six (6) inches and shall otherwise construct same in a good and substantial manner and in conformity with the permission granted by the Board of Trustees of the City of Bakersfield authorizing their construction.

(3) 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 25th day of October, 1912.

  
John M. Eshleman  
A. J. Loveland  
A. J. Anderson  
Commissioners.