

ORIGINAL

Decision No. 36278

Decision No. \_\_\_\_\_.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application )  
of KERN COUNTY, California, for )  
permission to construct a county )  
road at grade across the tracks )  
of The Atchison, Topeka, and )  
Sante Fe Railway Company in Kern )  
County, California. )  
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Application No. 2008.

By the Commission,

O R D E R.

KERN COUNTY, California, having on December 14, 1915, filed with the Commission an application for permission to construct a county road at grade across the tracks of The Atchison, Topeka, and Sante Fe Railway Company in 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 the necessary easement and consent have been given by The Atchison, Topeka, and Sante Fe Railway Company 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 the tracks of The Atchison, Topeka, and Sante Fe Railway Company, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted Kern County, California, to construct a county road at grade

across the tracks of The Atchison, Topeka, and Santa Fe Railway Company in Kern County, California, described as follows:

"A piece or parcel of land sixty feet by one hundred feet lying in the right-of-way of The Atchison, Topeka, and Santa Fe Railway Company in section 24, township 26 south, range 24 east, N. D. M., in said county and state, particularly described as follows:

Beginning at a point in the center line of said section 24 a distance of 27.8 feet, more or less, west of the east line thereof, the same being on the eastern boundary line of the right-of-way of said railway company; thence running northerly along said eastern boundary line of right-of-way a distance of 30 feet; thence westerly and parallel to said center line of said section 24, 100 feet; thence southerly along the western boundary line of said right-of-way 60 feet; thence easterly to the said eastern boundary line one hundred feet; thence northerly 30 feet to point of beginning; containing an area of 0.14 of an acre, more or less."

All of the above as shown by the map 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. The cost of its maintenance shall be borne by applicant except that portion between the rails and two feet outside thereof, which shall be borne by The Atchison, Topeka, and Santa Fe Railway Company.

(2) The crossing shall be constructed of a width of not less than twenty (20) feet, with grades of approach not exceeding four (4) percent; 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) 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 18th day of September, 1916.

Max Thelen

Alex Gordon

Edwin O. Edgerton

Frank R. DeWitt

Commissioners.