

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

Decision No. 449

In the matter of the application of BOARD OF SUPERVISORS, Kern County, California, for permission to construct a public highway at grade across the track of Southern Pacific Railroad Company between the stations of Kern Junction and Wible Orchard, Kern County, California.

Application No. 396.

ORDER

By the Commission.

Board of Supervisors, Kern County, California, having on February 5th, 1913, filed with the Commission an application for permission to construct a public highway at grade across the track of Southern Pacific Railroad Company between Kern Junction and Wible Orchard, 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 an easement from Southern Pacific Railroad Company dated July 15th, 1912, granting permission to construct said highway crossing at grade; and it further appearing that it is not reasonable nor practicable to avoid a grade crossing with said track; and that the application should be granted subject to the conditions hereinafter specified.

IT IS HEREBY ORDERED that permission heretofore granted Board of Supervisors, Kern County, California, to construct a public highway crossing at grade over the track of Southern Pacific Railroad Company between Kern Junction and Wible Orchard at Engineer Station 153 + 16, as shown by the map attached to the application and subject to the following conditions, namely:

- (1) The expense of constructing the crossing shall be borne by applicant.
- (2) The expense of maintaining the crossing hereafter shall be borne by applicant up to a point within two (2) feet on each side of the rails of Southern Pacific Railroad Company. The expense of maintaining the crossing over said track and to a distance of two (2) feet outside of the rails thereof shall be borne by Southern Pacific Railroad Company.
- (3) The crossing shall be constructed of a width not less than forty (40) feet with grades of approach not exceeding six (6) percent, and shall be ballasted with stone or gravel ballast to a depth of not less than six (6) inches.

(4) 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 7th day of February, 1913.

John M. Ehlman

Harold Eland

Edwin O. Edgerton

Commissioners.