

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 5168

In the matter of the application of)
 the CITY OF BAKERSFIELD, a municipal)
 corporation, for permission to re-)
 construct a public highway over the) Application No. 3539.
 McKittrick Branch of the Southern)
 Pacific Railroad, commonly known as the)
 Sunset Railroad.)

By the Commission,

O R D E R

CITY OF BAKERSFIELD, Kern County, California, having on February 16, 1918, filed with the Commission an application for permission to reconstruct a public highway over the McKittrick Branch of the Southern Pacific Railroad, commonly known as the Sunset Railroad, 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 the permission of the Southern Pacific Railroad has been obtained by the City of Bakersfield for the reconstruction of said highway at grade; and it further appearing that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be hereby granted City of Bakersfield to reconstruct a public highway at grade over the McKittrick Branch of the Southern Pacific Railroad in Bakersfield, Kern County, California, as shown by the map attached to the application; said highway to be reconstructed subject to the following conditions, viz.:-

(1) The entire expense of constructing the highway in first-class condition, for the safe and convenient use of the public, shall be borne by applicant.

(2) The expense of maintaining the highway thereafter to a point within two (2) feet of the rails of the tracks shall be borne by applicant. The expense of maintaining the highway between the rails and to a distance two feet outside thereof shall be borne by the Southern Pacific Railroad.

(3) Said highway shall be constructed of a width of not less than (20) twenty feet, with grades of approach not exceeding four (4) 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.

(4) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said highway 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 2d
day of March, 1918.

Max Thelen
Arthur J. ...
Edwin A. Edgerton
Frank P. ...

Commissioners.