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Decision No. 7863

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the Board of Supervisors of the County of Kern for an order authorizing the said County of Kern to construct a County Road over and upon the right of way of the Sunset Railroad at a point where the Section line between Sections Eight and Seventeen, Township Thirty-one South, Range Twenty-seven East, M. D. B. & M., intersects the right of way of said Sunset Railroad in Kern County.

Application No. 5681.

By the Commission,

ORDER

The Board of Supervisors of the County of Kern, State of California, having on May 12, 1920 filed with the Commission an application for permission to construct a public highway at grade across the tracks of the Sunset Railroad in said County, as herein-after indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the Sunset Railroad has signified by letter that it has no objection to the construction of said crossing at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said tracks, and that the application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, That permission be and the same is hereby granted the Board of Supervisors of County of Kern, State

of California, to construct a public highway at grade over the tracks of the Sunset Railroad at a point where the section-line between Sections Eight and Seventeen, Township Thirty-one South, Range Twenty-seven East, M. D. B. & M., intersects the right of way of said Sunset Railroad in Kern County, as shown by the map attached to the application, subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing shall be borne by applicant.

(2) The cost of maintaining the crossing thereafter in good and first-class condition for the safe and convenient use of the public up to two (2) feet of the rails of the Sunset Railroad shall be borne by the applicant.

(3) Sunset Railroad shall maintain said crossing across its tracks and to a distance of two (2) feet outside thereof.

(4) Said crossing shall be constructed of a width not less than twenty-four (24) feet, with grades of approach not exceeding four (4) per cent; shall be protected by suitable crossing signs, and shall in every way be made safe and convenient for the passage thereover of vehicles and other road traffic.

(5) The trees at the southeast corner, and those about one hundred (100) feet north of the northeast corner of the crossing, are to be removed by the applicant.

(6) 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 will revoke its permission if, in its judgment, the

public convenience and necessity demand such action.

Dated at San Francisco, California, this 10<sup>th</sup> day  
of July, 1920.

W. L. ...  
Frank ...  
H. B. ...

Dwight ...

Commissioners.