

Decision No. 8224

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the Matter of the Application of the City of Bakersfield, a municipal corporation, for permission to construct a crossing of a public street over and across the main line of the Southern Pacific Company, at its intersection with Union Avenue and to abandon the present crossing at Sacramento Street at its intersection of said main line.

Application No. 5998.

Mrs. Ruth Lindgren, Asst. City Attorney,  
for Applicant.  
F. E. Borton, for Southern Pacific Company.

By the Commission:

O P I N I O N

The City of Bakersfield in its original application filed on August 4, 1920, sought permission to construct Union Avenue at grade across the Southern Pacific Company's tracks and to abandon the crossing at Twentyfourth street about five (5) hundred feet west of the Union Avenue Crossing.

A public hearing was held at Bakersfield on August 25th before Examiner Westover at which the site of the proposed crossing and its vicinity were inspected. The inspection showed that it would be more satisfactory to the city if the crossing at Sacramento Street, a little over one block east of Union Avenue, were closed rather than the crossing at Twentyfourth Street, as the latter is the only means of access to that section lying west of the Kern Island Canal and south of the railroad. It was suggested that the city file an amended application requesting the abandon-

ment of the Sacramento Street Crossing instead of the Twentyfourth Street crossing and this suggestion was carried out, the amended application being filed on September 6th.

The crossing at Union Avenue is desired in connection with street improvements to be made by the city in order to relieve congestion at the Baker Street crossing at the depot six blocks east of Union Avenue.

The Baker Street crossing is over eight tracks in the Bakersfield yard and is on the main artery of highway travel between Kern City and Bakersfield. At times traffic congestion is very severe at this crossing and it is very desirable to relieve these conditions.

The City intends to place a portion of the Baker Street traffic on Union Avenue by paving west on Kentucky Street from Baker Street to Union Avenue south on Union Avenue to Twentyfirst Street, west on Twentyfirst to Q Street and south on Q Street to the business section. The city also intends to improve Twentyfourth Street and take a portion of the travel now using Nineteenth Street and Baker Street over Twentyfourth Street and Union Street.

The Southern Pacific Company offered no objection to the opening of the crossing at Union Avenue providing the Sacramento Street crossing were closed, but appeared rather skeptical as to whether all of the anticipated traffic improvements would materialize. The application should be granted.

#### O R D E R

City of Bakersfield having on August 4th filed an application with the Commission for permission to construct Union Avenue at grade across the tracks of the Southern Pacific Company and to abandon the crossing at Twentyfourth Street and having at the suggestion of the Commission filed on September 6th an amended application looking to the opening of Union Avenue and the closing of

Sacramento Street across the Southern Pacific Company's tracks instead of Twentyfourth Street, a public hearing having been held and the Commission being fully apprised in the premises and of the opinion that the application should be granted,

IT IS HEREBY ORDERED, that the City of Bakersfield be and the same hereby is granted permission to construct Union Avenue at grade across the tracks of the Southern Pacific Company and to abandon the crossing of Sacramento Street with said tracks subject to the following conditions:

1. The entire expense of constructing the crossing at Union Avenue and the abandonment of the crossing at Sacramento Street 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 Southern Pacific Company shall be borne by the applicant.

3. The Southern Pacific Company 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 thirty (30) feet, with grades of approach not exceeding two (2) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe and convenient for the passage thereover of vehicles and other road traffic.

5. The existing crossing at Sacramento Street crossing is to be closed to public travel.

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 11<sup>th</sup> day of  
October, 1920.

Edwin O. Edgerton  
H. J. Hayward

H. B. Rounding  
Dwight Martin

Commissioners.