

Decision No. 8664

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the Board of Supervisors of Kern County to construct a crossing over the tracks of Southern Pacific Company between Sections 35 and 36, T. 29 S., R. 28 E., M.D.B. & M. at Engineering Station 11,793+65 about 1/2 mile west of station at Magunden.

ORIGINAL
Application No. 6344.

R. B. Lambert for Applicant,
E. M. Langdale for Southern Pacific Company.

By the Commission:

O P I N I O N

In this application the County of Kern asks permission to construct a crossing at grade over the tracks of the Southern Pacific Company at Engineer's Station 11,793+65, about one-half mile west of station at Magunden. The crossing is on a north and south road which extends south the full length of the township. The land north of the crossing has been subdivided and sold off in small tracts, some of which have been built upon, and it is desired to give these people access to the paved highway which parallels the railroad along its southerly side. It will save them one mile in distance southward. The nearest public crossings are one-half mile east and one mile west. Neither of these can be closed.

A public hearing was held at Bakersfield January 18, 1921, before Examiner Satterwhite.

Inspection shows that the proposed crossing is in

level open country, with no obstructions to the view, except that one of the main line tracks is used as a storage track at times, and the cars standing on this track shut off the view of the other track when approaching the crossing from the north.

O R D E R

County of Kern having filed with the Commission an application for permission to construct a crossing at grade across the tracks of the Southern Pacific Company between Sections 55 and 56, T. 29 S., R. 28 E., M.D.B. & M., at Engineer's Station 11,793+65, about one-half mile west of station at Magunden, a public hearing having been held, and it appearing to the Commission 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 County of kern to construct a crossing at grade across the tracks of the Southern Pacific Company at Engineer's Station 11,793+65 about one-half mile west of station at Magunden, subject to the following conditions, viz:

(1) The entire expense of constructing the crossing shall be borne by the applicant. The cost of its maintenance up to two feet of the rails of the Southern Pacific Company shall be borne by the applicant. The maintenance of that portion of the crossing between the rails and two feet outside thereof shall be borne by the Southern Pacific Company.

(2) The crossing shall be constructed at an angle of 74 degrees with the railroad tracks and of a width not less than twenty-four 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.

(3) The installation of said crossing shall be made within one year from the date of this order unless further time is granted by subsequent order herein and unless so completed within the time specified the authorization herein granted shall lapse and become void.

(4) The Commission shall be notified in writing of the completion of the installation of said crossing within thirty (30) days thereafter.

(5) 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 21st day of February, 1921.

W. D. Leonard
Frank R. Wilson
H. B. Boudreau
Erving Martin
Charles H. Howell

Commissioners.