

ORIGINAL

Decision No. 7266.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application)
of the Board of Supervisors of the)
County of Kern, State of California,)
for permission to construct Elk Hills)
Avenue at grade across the tracks of)
Southern Pacific Company at Button-)
willow, Kern County, California.)
Application No. 7272.

By The Commission:

O R D E R

The Board of Supervisors of the County of Kern, State of California, having on October 21, 1921, filed with the Commission an application for permission to construct a public road at grade across the tracks of Southern Pacific Company, hereinafter called the Railroad, in said County, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the 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 a grade crossing with said tracks, and that the application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, that permission be hereby granted the Board of Supervisors of the County of Kern, State of California, to construct Elk Hills Avenue at grade across the tracks of the Railroad described as follows, to-wit:

Beginning at the intersection of the north boundary of the Southern Pacific Railroad with the east line of Elk Hills Avenue, according to the map of Buttonwillow filed in the Office of the Recorder of Kern County, California, July 26, 1921, which intersection bears North 89° 36' West, 578.68 feet from a point on the

east boundary of Section Fourteen (14), Township Twenty-nine (29) south, Range Twenty-three (23) east, M.D.B. & M., which point bears N. $0^{\circ} 27' 30''$ W., 205.25 feet from the southeast corner of said Section 14; and running thence N $89^{\circ} 36'$ W., 80.00 feet, thence S. $0^{\circ} 25' 45''$ W. two hundred twenty-five (225) feet more or less to the south boundary of right of way of Southern Pacific Railroad, thence easterly along south boundary of Southern Pacific Railroad 80.00 feet, thence N. $0^{\circ} 25' 45''$ E., to the place of beginning.

all of the above as shown by the map attached to the application, said crossing to be constructed 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 a line two (2) feet outside of the outside rails shall be borne by the applicant. The maintenance of that portion of the crossing between the rails and two (2) feet outside of the outside rails thereof shall be borne by the Railroad.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the Railroad and with grade of approach not greater than four (4) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) The existing crossing located approximately two-hundred and seventy (270) feet westerly from the above described location of the proposed crossing shall be legally abandoned and closed to public use and travel.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(5) The authorization herein granted for the installation of said crossing shall lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(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 to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 4th day of

January, 1922.

H. B. ...

H. D. ...

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J. J. ...

Commissioners.