

Decision No. 26684.

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
construction of a crossing by the
County of Kern over the tracks of the
Southern Pacific Railroad Company at
Mile Post No. 335.95 Kern County,
California.

Application No. 19219.

ORIGINAL

BY THE COMMISSION:

C R D E R

The Board of Supervisors of the County of Kern, on December 6, 1933, applied for authority to construct a public road known as the Caliente-Bealville Road, at separated grades under the main line track of Southern Pacific Company, in the vicinity of Caliente Station, County of Kern, State of California. Southern Pacific Company, on December 19, 1933, signified, in writing, that it has no objection to the construction of said undergrade crossing. An agreement covering the construction of said separation and the apportionment of cost thereof is now in process of execution.

It appearing that a public hearing is not necessary herein; that it is in the interest of public convenience and necessity that the undergrade crossing be constructed and that the application should be granted, subject to certain conditions,

IT IS HEREBY ORDERED that the Board of Supervisors of Kern County is hereby authorized to construct a public road, known as Caliente-Bealville Road, at separated grades under the main line

track of Southern Pacific Company, in the vicinity of Caliente Station, County of Kern, State of California, at the location more particularly described in the application and substantially in accordance with and as shown by the plan attached to the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. B-335.9-B.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne in accordance with an agreement approved by this Commission, a certified copy of which shall be filed before commencement of construction of said crossing.
- (3) Applicant shall file, for approval, prior to the commencement of construction, a set of plans for said crossing, showing the clearances, alignment of the roadway and grades of approach, which plans shall have been approved by the interested parties.
- (4) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (6) Prior to the beginning of actual construction of the crossing herein authorized, the County of Kern shall file with this Commission a certified copy of an appropriate ordinance or resolution duly and regularly passed, instituting all necessary steps to legally abandon and close the existing public grade crossing, identified as Crossing No. B-335.9. Upon completion of the crossing herein authorized and upon its being open to public use and travel, said Crossing No. B-335.9 shall be legally abandoned and effectively closed to use and travel.
- (7) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 27th day
of December, 1933.

C. L. Seavey
Leon Whiteley
M. J. [unclear]
M. B. [unclear]

Commissioners.