

Decision No. 27775.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the CITY OF TAFT, a municipal corporation, for an order to construct a public highway across the Right of Way (at SECOND STREET) of the Sunset Railroad, the Atchison, Topeka and Santa Fe Railroad and the Southern Pacific Railroad.

Application No. 19802.

ORIGINAL

BY THE COMMISSION:

O R D E R

The City Council of the City of Taft, County of Kern, State of California, on January 25, 1935, applied for authority to construct a public street known as Second Street at grade across the tracks of Sunset Railroad (owned jointly by The Atchison, Topeka and Santa Fe Railway Company and Southern Pacific Company), in said City of Taft. Sunset Railway Company, on February 8, 1935, signified, in writing, that it has no objection to the construction of said crossing at grade.

It appearing that a public hearing is not necessary herein; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing with said tracks at the point mentioned and that the application should be granted,

IT IS HEREBY ORDERED that the City Council of the City of Taft, in the County of Kern, State of California, is hereby authorized to construct Second Street at grade across the tracks of Sunset Railway Company, at the location more particularly described in the application and as shown by the maps attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 42B-8.6.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of those portions of said crossing outside of lines two (2) feet outside of the rails shall be borne by applicant. The maintenance of portions of the crossing between lines two (2) feet outside of the rails shall be borne by Sunset Railway Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Sunset Railway Company.
- (3) The crossing shall be constructed of a width of not less than the traveled portion of said Second Street and at an angle of approximately ninety (90) degrees to the railroad and with grades of approach not greater than six (6) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by two Standard No. 1 crossing signs, as specified in our General Order No. 75-A; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) 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.
- (5) 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.
- (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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 25th day of February, 1935.

Leon Whiteley
 M. A. Carr
 M. S. Harris
 J. A. [unclear]
 J. A. [unclear]
 Commissioners.