

Decision No. 27894.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the
PEOPLE OF THE STATE OF CALIFORNIA, on
relation of the Department of Public
Works, for an order authorizing the
construction of a crossing at separated
grades of the State highway and the
tracks of the Southern Pacific Railroad
near Delano, Kern County, California.

Application No. 19775.

BY THE COMMISSION:

O R D E R

The People of the State of California, on relation of the Department of Public Works, on January 9, 1935, applied for authority to construct a public highway known as State Highway Route 4, at separated grades under the main line track of Southern Pacific Company in the vicinity of Delano, County of Kern, State of California. Southern Pacific Company has signified, in writing, that it has no objection to the construction of said undergrade crossing.

The entire expense of construction is to be borne by the State out of funds made available by the Federal Government.

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,

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, are hereby authorized to construct a public highway known as State Highway Route 4 at separated grades under the main line track of Southern Pacific Company in the vicinity of Delano, 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-281.7-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 by applicant. The maintenance of the sub-structure of said grade separation and the pavement shall thereafter be borne by applicant and the maintenance of the super-structure and track shall be borne by Southern Pacific Company.
- (3) Prior to beginning of construction of said grade separation, applicant shall file with the Commission a copy of an agreement entered into between it and Southern Pacific Company covering the terms of construction and maintenance of said grade separation.
- (4) Prior to the beginning of construction Applicant shall file with the Commission a plan of said grade separation showing type of structure, grades of approach and clearances.
- (5) Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
- (6) 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.
- (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 10th day of April, 1935.

Leon Whedell
W. A. Lane
W. B. Lanning
W. H. Lanning
FRANK R. Lanning
Commissioners.