

Decision No. 31025.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the Board
of Supervisors of Kern County for an order
authorizing the major alterations of grade
crossing 2-893.8 over the tracks of the
A. T. & S. F. Railway)
Application)
No. 21244)

W. A. McGINN, Deputy District Attorney, for Applicant

M. W. REED, for The Atchison, Topeka and Santa Fe Railway Co.

R. M. GILLIS, for Division of Highways, Department of Public
Works, State of California

BY THE COMMISSION:

ORIGINAL

O P I N I O N

In this application the County of Kern requests authority to make major alterations to the grade crossing of county road (Jewetta Avenue) over the main line track of The Atchison, Topeka and Santa Fe Railway Company identified as Crossing No. 2-893.8 and located between Jastro and Rosedale, Kern County.

A public hearing was held in this matter before Examiner Hall in Bakersfield on March 31, 1938, at which time the matter was submitted.

The crossing herein involved is located at the intersection of State Highway Route No. 58, an east and west highway, and Jewetta Avenue, a north and south county road. The main line track of The Atchison, Topeka and Santa Fe Railway Company runs through this intersection in a northwesterly and southeasterly direction. The crossing is located at the southwest corner of Section 19, Township 29 South, Range 27 East, M. D. B. & M, and approximately eight miles west of Bakersfield.

The State Highway part of the crossing has been recently widened to a width of approximately forty feet, and two flashing-

light-rotating stop banner signals have been installed.

Jewetta Road, in approaching the State Highway and the crossing from the north, was in the shape of a wye. The north leg of the wye connected with the State Highway without crossing the tracks. The south leg of the wye crossed the tracks about eighty feet northwest of the center of the State Highway crossing.

Subsequent to the filing of the application this southerly leg of the wye has been removed and the roadway of Jewetta Avenue widened to the north of the crossing. Furthermore, a pile trestle under the railroad track and between the two legs of the wye on Jewetta Avenue has been replaced by pipe and the area filled in to level of the track. It is applicant's proposal to pave over a portion of this filled area in order to make a more gradual turn for traffic flowing south on Jewetta Avenue and turning west on the State Highway. This will involve the paving-in of a triangular area between the center line of Jewetta Avenue and the north curb line of the State Highway. By so doing automobiles making the movement as stated above would make their turn upon the railroad tracks.

It was further suggested at the hearing that Jewetta Avenue should be widened to the east of its center line in order that the major portion of its intersection with the State Highway would be to the east of the tracks.

Under the first proposal vehicles traveling south on Jewetta Avenue would be encouraged to make safety stop on the tracks before entering the State Highway, whereas under the second proposal the safety stop could be made before reaching the tracks.

With the first proposal, the Boulevard Stop sign on Jewetta Avenue could not be placed in its proper position. At the present time the Boulevard Stop sign is located about 80 feet

north of the State Highway and serves very little the purpose for which it was erected.

In order that conditions at the crossing might be better understood, all parties made an inspection on the date of the hearing. The inspection developed that the map (Exhibit No. 1) did not truly show the characteristics at the crossing, therefore it was withdrawn and a substitute Exhibit No. 1 was filed.

In order to entirely correct the unsatisfactory conditions at this crossing, it would become necessary to elevate both Jewetta Avenue and the State Highway above the tracks. The amount of vehicular and train traffic at the present time does not warrant the expenditure of such a substantial sum.

A review of the entire record in this matter leads to the conclusion (1) that Jewetta Avenue from the north should be connected to the State Highway in such a manner as to avoid the possibility of a safety stop upon the tracks; (2) that Jewetta Avenue should be widened to the east so as to discourage as much as possible southbound vehicles on Jewetta Avenue turning east on State Highway from getting upon the tracks; (3) that a small triangle across the tracks, about 10 feet along the north line of State Highway and about 10 feet along the west line of Jewetta Avenue should be paved; and (4) that the Boulevard Stop sign should be moved to a point along the west line of Jewetta Avenue and not less than 10 feet north of and at right angles to the track.

It is recommended that traffic lines be painted upon the pavement at the intersection of Jewetta Avenue and the State Highway in order to encourage vehicular traffic away from the track.

It is our opinion that if the above suggestions are followed, an improved grade crossing and intersection with a minimum of hazard will result.

O R D E R

A public hearing having been held and the matter having been submitted,

IT IS HEREBY ORDERED that applicant is authorized to improve the crossing of Jewetta Avenue with the tracks of The Atchison, Topeka and Santa Fe Railway Company substantially as outlined in the conclusion stated in the foregoing Opinion, subject to the following conditions:

- (1) The Atchison, Topeka and Santa Fe Railway Company shall bear the entire cost of preparing its tracks, including guard rails, to receive the paving. Applicant shall bear the cost of the additional paving and moving of Boulevard Stop sign and such other costs as may become necessary.
- (2) Within thirty (30) days after completion pursuant to this order, applicant shall so notify the Commission in writing.
- (3) This authorization shall become void if not exercised within one (1) year, unless time be extended, or if above conditions are not complied with.
- (4) Authorization may be revoked or modified if public convenience, necessity or safety so require.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 27th day of June, 1938.

William W. Moore
Leon O'Connell
George R. Quinn
Raymond J. Kelly
Commissioners