

Section 3. Before the Secretary of Highways shall undertake the construction or improvement of any State highway in a borough *or incorporated town*, wherein a change of width or existing lines and location is necessary, and damages are likely to result to abutting property, he shall notify the county commissioners of the proper county, in writing, of the contemplated change in such existing lines and location, whereupon the county commissioners, when possible, shall enter into an agreement with the owner or owners of said property as to the amount of damages to be paid to the said owner or owners, which damages, if agreed upon, shall be paid by the county.

Damages.

Agreement with owner.

In case no agreement satisfactory to the county commissioners and the said owner or owners can be made, the Secretary of Highways may not proceed with the work of construction and improvement unless the county commissioners agree that the said secretary may proceed, and, in such cases, the owner or owners of said property damaged thereby or the county commissioners may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages. The proceedings upon said petition and by viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for opening public highways; and such damages, when ascertained, shall be paid by the county in which the State highway is located; and the county shall also provide for the removal of all structures within the lines of the highway.

When no agreement can be made.

Viewers.

Proceedings.

Payment of damages.

Section 2. This act shall become effective immediately upon final enactment.

When effective.

APPROVED—The 1st day of June, A. D. 1933.

GIFFORD PINCHOT

No. 299

AN ACT

To further amend section one as amended of the act, approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred twenty-eight), entitled "An act authorizing the Secretary of Highways, with the approval of the Governor, to establish, construct and maintain roads parallel to existing State highways, in order to relieve traffic congestion; providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby; and providing that such highway when constructed shall become a part of the system of State highways of the Commonwealth," by providing that roads taken over as approximately parallel highways may intersect or cross over the highway to which they are approximately parallel.

Section 1. Be it enacted, &c., That section one of the act, approved the second day of May, one thousand nine

State highways.

Parallel roads
and streets.

Section 1, act of
May 2, 1929
(P. L. 1528), as
amended by act
of May 20, 1931
(P. L. 140), fur-
ther amended.

Roads and streets
approximately
parallel with
State highways
may be taken
over by State.

When effective.

hundred and twenty-nine (Pamphlet Laws, one thousand five hundred twenty-eight), entitled "An act authorizing the Secretary of Highways, with the approval of the Governor, to establish, construct and maintain roads parallel to existing State highways, in order to relieve traffic congestion; providing certain conditions and restrictions for the assessment and payment of damages for property taken thereby; and providing that such highways when constructed shall become a part of the system of State highways of the Commonwealth," as amended by the act approved the twentieth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, one hundred forty), is hereby amended to read as follows:

Section 1. Be it enacted, &c., That the Secretary of Highways, with the approval of the Governor, is authorized to take over existing public roads and streets in boroughs and townships, *approximately* parallel to State highways, between any or all of the points named in the line or route of such State highway, and construct and maintain the same according to the standards of the department for the construction and maintenance of State highways. *Any public road taken over under the provisions of this act as an approximately parallel highway may intersect with or cross over the highway to which it is approximately parallel.*

Section 2. This act shall become effective upon its approval by the Governor.

APPROVED—The 1st day of June, A. D. 1933.

GIFFORD PINCHOT

No. 300

AN ACT

To amend sections one and four of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, seven hundred four), entitled "An act authorizing the Secretary of Highways, with the approval of the Governor, to establish the width and lines of State highways for future construction where it appears uneconomical to widen existing highways; providing for acknowledgment by the Secretary of Highways and recording of plans therefor in the proper county; and providing further that no allowance shall be made for buildings or improvements erected or made within the limits of any such highway; and providing for the payment of damages," by providing for the maintenance of the existing highway.

State highways.

Section 1. Be it enacted, &c., That sections one and four of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, seven hundred four), entitled "An act authorizing the Secretary of Highways, with the approval of the