

**LAND ABUTTING HIGHWAYS AND STREETS**  
**Act of May 28, 1913, P.L. 368, No. 253**  
AN ACT

Cl. 11

Giving to all owners or tenants of lands, property, or material, abutting on, or through which pass, roads, streets, lanes, or alleys, injured by the laying out, opening, widening, vacating, extending, or grading of said roads, streets, lanes, or alleys, or the changing of grades and lines thereof, by cities, counties, boroughs, or townships, within this Commonwealth; the construction and the vacating by said cities, counties, boroughs, or townships of bridges, and the piers, abutments, approaches, embankments, slopes or causeways therefor, or leading thereto, which abut on or pass through or along said lands, property, or material; and the construction by said cities, counties, boroughs, or townships of sewers in, over, upon, along, or through said lands, property, or material, the right to damages for said injuries; directing all juries of view appointed, or that shall hereafter be appointed, under existing laws for assessing damages or benefits for taking, using, occupying, or injuring lands, property or material, to assess said damages, if any, against said cities, counties, boroughs or townships, as the case may be, and the benefits, if any, in connection therewith; granting the right of appeal to the proper court of common pleas from the report of said juries, and the trial by jury in said court of common pleas, and the right to file exceptions to said report; and the right of appeal to the Superior Court or Supreme Court, after disposal of exceptions, or verdict and final judgment; and providing that this act shall apply to all existing and future proceedings.

**Compiler's Note:** Section 4701 of Act 317 of 1931 provided that Act 253 is repealed insofar as it relates to third class cities.

**Compiler's Note:** Section 1501 of Act 447 of 1929 provided that Act 253 is repealed insofar as it relates to counties.

**Compiler's Note:** Section 1500 of Act 319 of 1917 provided that Act 253 is repealed insofar as it relates to townships.

**Compiler's Note:** Section 1301(c) of Act 192 of 1915 provided that Act 253 is repealed insofar as it relates to boroughs.

Section 1. Be it enacted, &c., That the right to damages against cities, counties, boroughs, or townships, within this Commonwealth, is hereby given to all owners or tenants of lands, property, or material abutting on, or through which pass, roads, streets, lanes, or alleys, injured by the laying out, opening, widening, vacating, extending or grading of said roads, streets, lanes, or alleys, or the changing of grades or lines thereof, by said cities, counties, boroughs or townships; the construction

and the vacating by said cities, counties, boroughs or townships of bridges, and the piers, abutments, approaches, embankments, slopes, or causeways therefor, or leading thereto; and the construction of sewers by said cities, counties, boroughs, or townships in, over, upon, along, or through said lands, property, or material.

Section 2. That all juries of view appointed, or which shall hereafter be appointed, under existing laws, for assessing damages or benefits for taking, using, occupying or injuring lands, property, or material, are hereby directed, and it shall be their duty, to assess the damages provided for in section one of this act, if any, against said cities, counties, boroughs, or townships, as the case may be, and the benefits, if any, in connection therewith, and make report thereof as under existing laws.

Section 3. That the right of appeal to the proper court of common pleas from said report, and the right of trial by jury in said court of common pleas, and the right to file exceptions to said report, are hereby given to any party or parties not satisfied with said report, in accordance with proceedings under existing laws.

Section 4. (4 repealed June 3, 1971, P.L.118, No.6)

Section 5. The provisions of this act shall apply to all existing and future proceedings.