

Railway Company, providing for the elimination of the grade crossing over the tracks of the Pennsylvania Railroad Company on State Highway No. 501, located at a point in Richland County, Ohio, about one-half mile east of the western county line.

After careful examination, it is my opinion that said proposed agreement is correct as to legality and form and when the same is executed by John Jaster, Jr., as Director of Highways for the State of Ohio, the same will become a binding contract by and between the parties for the purposes therein set forth. I, therefore, approve this proposed agreement as to legality and form and am returning the same herewith.

Respectfully,

HERBERT S. DUFFY

*Attorney General.*

3166.

APPROVAL—AGREEMENT, JOHN JASTER, JR., DIRECTOR OF HIGHWAYS, STATE OF OHIO, WITH THE PENNSYLVANIA RAILROAD COMPANY, LESSEE OF THE LITTLE MIAMI RAILROAD, RECONSTRUCTION CERTAIN DESCRIBED CROSSING, STATE HIGHWAY No. 8, TERRACE PARK, HAMILTON COUNTY, OHIO.

COLUMBUS, OHIO, October 31, 1938.

HON. JOHN JASTER, JR., *Director of Highways, Columbus, Ohio.*

DEAR SIR: You have submitted for my consideration and approval a proposed agreement by and between John Jaster, Jr., Director of Highways of the State of Ohio and The Pennsylvania Railroad Company, lessee of the Little Miami Railroad providing for the reconstruction of the existing separated crossing under the tracks of the Pennsylvania Railroad Company on State Highway No. 8, located at a point in Hamilton County, Ohio, in Terrace Park.

Upon examination, I find said proposed agreement in proper legal form and it is my opinion that when the same is executed by John Jaster, Jr., as Director of Highways for the State of Ohio, the same will become a binding contract by and between the parties for the purposes therein mentioned. I, therefore, approve said proposed agreement as to legality and form and am returning the same herewith.

Respectfully,

HERBERT S. DUFFY

*Attorney General.*