

plan of water supply for a sewer district at any given time. In the event the improvement desired to be constructed at any time in furtherance of a general plan consists of only the construction of a local pipe line, I find nothing to prohibit the county commissioners from proceeding therewith under the provisions of Sections 6602-17, et seq. Under such circumstances, the "assessment district" would be considered the benefited property abutting on the improvement for the purposes of complying with the procedural steps for levying the entire cost thereof.

You do not specifically inquire as to whether or not the six inch line proposed to be constructed may be in fact considered as a "local pipe line." This is a question of fact to be determined in view of all the circumstances and I express no opinion thereon. I assume for the purposes of this opinion that it is a local pipe line.

It is my opinion, therefore, in specific answer to your inquiry, that when a board of county commissioners has declared the necessity of constructing a local pipe line in furtherance of a general plan of water supply for a sewer district, the entire cost and expense of such construction may be assessed upon the benefited property abutting thereon as provided in Section 6602-24, General Code, and the procedural steps for levying such assessments set forth in Sections 6602-17, et seq., should be complied with. Under such circumstances, such benefited property abutting upon such local improvement should be, for the purpose of complying with these procedural steps, considered as the "assessment district."

Respectfully,
GILBERT BETTMAN,
Attorney General.

2924.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE OTIS ELEVATOR COMPANY, CLEVELAND, OHIO, FOR ELEVATOR CONTRACT FOR STATE OFFICE BUILDING, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$222,976.00—SURETY BOND EXECUTED BY THE NATIONAL SURETY COMPANY OF NEW YORK.

COLUMBUS, OHIO, February 6, 1931.

HON. CARMİ A. THOMPSON, *Chairman, State Office Building Commission, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by William Green, Elmer S. Landes, Warner P. Simpson, Carmi A. Thompson and William F. Wiley, duly appointed, acting and qualified members of the Ohio State Office Building Commission, provided for in Section 1 of House Bill No. 17 of the 88th General Assembly, passed March 14, 1929 (113 O. L. 59), and the Otis Elevator Company of Cleveland, Ohio. This contract covers the construction and completion of Elevator Contract for the Ohio State Office Building, Columbus, Ohio, in accordance with Item No. 1 of the revised form of proposal dated December 6, 1930, using alternate Item No. 2, Otis full

automatic signal control for eight passenger elevators in place of what is specified, and substituting Me-tyl-wood cars of Tyler manufacture for wood cars for eight passenger elevators. Said contract calls for an expenditure of two hundred and twenty-two thousand, nine hundred and seventy-six dollars (\$222,976.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. It is to be noted that the Controlling Board's approval of the expenditure is not required under the act (113 O. L. 59) appropriating the money for this contract. In addition, you have submitted a contract bond upon which the National Surety Company of New York appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also, it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with. A certificate of the Secretary of State shows that the contracting foreign corporation is qualified to do business in Ohio.

Finally, it appears that the Governor has approved all the acts of the Commission, in accordance with Section 1 of House Bill 17, 88th General Assembly, heretofore mentioned.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2925.

APPROVAL, BONDS OF VILLAGE OF AURORA, PORTAGE COUNTY,
OHIO—\$23,350.00.

COLUMBUS, OHIO, February 6, 1931.

Retirement Board, State Teachers Retirement System, Columbus Ohio.

2926.

APPROVAL, LEASE TO STATE RESERVOIR LAND AT LAKE LORAMIE
FOR AGRICULTURAL PURPOSES—JOHN H. MEYER.

COLUMBUS, OHIO, February 6, 1931.

HON. I. S. GUTHERY, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—You recently submitted to me, through the Division of Conservation, a certain reservoir land lease, executed on behalf of the State, by J. W. Thompson, Conservation Commissioner, acting for and on behalf of the