

executed in proper form, and which indicates that there are unencumbered balances in the appropriation account sufficient in amount to pay the monthly rental for December, 1939. This is a sufficient compliance with Section 2288-2, General Code.

This lease is accordingly approved by me, and the same is herewith returned.

Respectfully,

THOMAS J. HERBERT,  
*Attorney General.*

1530.

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CONTRACT—STATE WITH COUNTY COMMISSIONERS, IMPROVEMENT CINCINNATI-BATAVIA ROAD, SH 41, SEPARATION GRADES OF TRACKS, NORFOLK AND WESTERN RAILWAY COMPANY AND MAIN STREET, SH 74, SH 41, VICINITY VILLAGE OF BATAVIA, CLERMONT COUNTY.

COLUMBUS, OHIO, December 7, 1939.

HON. ROBERT S. BEIGHTLER, *Director, Department of Highways, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval a contract between the State of Ohio, acting through you as Director of the Department of Highways, and the Board of County Commissioners of Clermont County, Ohio, for the improvement of a portion of the Cincinnati-Batavia Road, State Highway No. 41 described as being the separation of grades of the tracks of The Norfolk and Western Railway Company and Main Street, State Route No. 74, State Highway No. 41, located at a point near the west corporation line of the Village of Batavia, Clermont County, Ohio.

You have submitted in this connection the County Auditor's Certificate of availability of funds, certificate of the Director of Finance showing unexpended balances in the appropriation amount sufficient to pay the State's share of this project; and certification of the record of the proceedings of the Board of County Commissioners joining and cooperating in this project.

Finding said contract in proper legal form, I have endorsed my approval thereon and same is transmitted herewith.

Respectfully,

THOMAS J. HERBERT,  
*Attorney General.*