

454.

BONDS—CUYAHOGA COUNTY, \$20,000.00—SERIES A, \$10,000.00. SERIES B, \$10,000.00.

COLUMBUS, OHIO, April 24, 1939.

Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN :

RE: Refunding Bonds of Cuyahoga County, Ohio,
\$10,000.00, Series A.
\$10,000.00, Series B.

The above \$20,000 purchase of bonds appears to be part of refunding bond issues of the above county dated October 1, 1938, and bearing interest at the rate of $3\frac{3}{4}\%$ per annum.

1. The transcript relative to the Series A bonds was approved by this office in an opinion rendered to the State Teachers Retirement Board under date of October 8, 1938, being Opinion No. 3056, covering three issues of \$2,740,000, \$760,000 and \$735,000, respectively.

2. The transcript relative to the Series B bonds was also approved by this office in an opinion rendered to the State Teachers Retirement Board under date of October 5, 1938, being Opinion No. 3048, covering an issue of \$1,600,000.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said county.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

455.

CONTRACT—STATE, THROUGH DIRECTOR OF HIGHWAYS,
WITH NORFOLK AND WESTERN RAILWAY COMPANY,
GRADE CROSSING ELIMINATION, STATE HIGHWAY 41,
VILLAGE OF BATAVIA, CLERMONT COUNTY.

COLUMBUS, OHIO, April 24, 1939.

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

DEAR SIR: You have submitted for my approval a proposed agreement between the State of Ohio, acting through the Director of Highways and the Norfolk and Western Railway Company covering the matter of

the elimination of the grade crossing over the tracks of the Norfolk and Western Railway Company on State Highway No. 41, located at a point in Clermont County, Ohio in the Village of Batavia.

After examination, it is believed said contract is in proper legal form and when properly executed by the Director of Highways will constitute a binding contract between the parties.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

456.

CONTRACT—STATE WITH THE HUFFMAN-WOLFE COMPANY, HEATING AND VENTILATING, MEN'S DORMITORY, OHIO STATE UNIVERSITY.

COLUMBUS, OHIO, April 24, 1939.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my approval the contract between the State of Ohio, acting through you as Director of the Department of Public Works for the Board of Trustees of the Ohio State University, Columbus, and The Huffman-Wolfe Company, an Ohio Corporation of Columbus, Ohio, for the construction and completion of Heating and Ventilating Contract (Division 3—Item XVIII) for the Men's Dormitory on the campus of the Ohio State University, as set forth in the General Conditions and the specifications for same, including Addendum No. 1 dated March 11, 1939, Addendum No. 2 dated March 17, 1939, and Addendum No. 3 dated March 20, 1939, and as covered by form of proposal dated March 22, 1939. The contract calls for an expenditure of \$32,830.

You have submitted the following papers and documents in this connection: Form of proposal dated March 22, 1939, containing contract bond signed by the Seaboard Surety Company of New York as surety; its power of attorney for the signer; the certificate of compliance issued by the Department of Commerce, Division of Insurance, showing a compliance with the laws of Ohio relating to surety companies; Division of contract; Estimate of cost; Notice to bidders; Proof of publication; Tabulation of bids; Letter from Auditor of State, showing all necessary papers and documents are on file in his office; Workmen's Compensation certificate showing a compliance with the laws of Ohio relating to Workmen's Compensation; letter from Secretary of the Ohio State University, certifying to the availability of funds; Copy of Opinion No. 3173 of the Attorney