

1938.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS, CLERMONT AND GEAUGA COUNTIES, OHIO.

COLUMBUS, OHIO, March 24, 1921.

HON. LEON C. HERRICK, *State Highway Commissioner, Columbus, Ohio.*

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1939.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS, WILLIAMS COUNTY, OHIO.

COLUMBUS, OHIO, March 24, 1921.

HON. LEON C. HERRICK, *State Highway Commissioner, Columbus, Ohio.*

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1940.

ROADS AND HIGHWAYS—COUNTY COMMISSIONERS NOT AUTHORIZED TO CONSTRUCT RAILROAD SWITCH INTO LANDS OWNED BY COUNTY FOR STORAGE OF ROAD EQUIPMENT.

*Sections 7200 and 1190-2 G. C. do not authorize county commissioners to construct a railroad switch into lands owned and used by the county for the storage of road machinery, tools and equipment.*

COLUMBUS, OHIO, March 24, 1921.

HON. LAWRENCE H. WEBBER, *Prosecuting Attorney, Elyria, Ohio.*

DEAR SIR:—You have recently requested the opinion of this department upon three questions submitted to you by your county commissioners which you state as follows:

“First: Have the county commissioners authority to purchase a small tract of land abutting upon the B. & O. railroad right-of-way upon which to erect a building to house the road machinery belonging to the county, as well as a place to dump materials and supplies which are delivered by the railroad company?

Second: Have the commissioners authority to erect a building for this purpose?

Third: Have the commissioners a right to construct a switch from the right-of-way of the B. & O. Railroad company onto this land if same may be legally purchased?”

Your first two questions have in effect been answered in the affirmative by this department in an opinion (No. 1600) dated September 30, 1920, and directed to Hon,