

the board for the conducting of a private school therein, so long as such use does not interfere with the primary use of the building for which it was constructed, upon request and the payment of the proper janitor fees, subject to such regulations as may be adopted by the board.

2. The fact that the private school is to be conducted by a member of the board and a tuition fee charged does not, in my opinion, make any difference.

Respectfully,

GILBERT BETTMAN,
Attorney General

2013.

APPROVAL, LEASE EXECUTED BY SOPHIA M. ALTMAIER, TO SPACE IN REAR OF HARTMAN HOTEL BUILDING AND 142 EAST MAIN STREET, COLUMBUS, OHIO, FOR USE OF DEPARTMENT OF PUBLIC WORKS FOR AUTOMOBILE PARKING PURPOSES.

COLUMBUS, OHIO, June 23, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your communication of recent date resubmitting for my examination and approval a certain lease and copies thereof, executed by one Sophia C. Altmaier, whereby she leases to A. T. Connar, Superintendent of Public Works, as Director of Public Works, for the use and benefit of the Department of Public Works, certain space in the rear of the Hartman Hotel Building and her place of business at 142 East Main Street, Columbus, Ohio, for automobile parking purposes.

An examination of the lease submitted shows that said lease has been corrected with respect to the matters pointed out in former opinion No. 2002 of this office, which caused the lease to be disapproved upon its first submission to this office. Said lease is, therefore, accordingly approved as to legality and form.

Encumbrance estimate, No. 369, submitted with said lease and the copies thereof, has been re-examined and found to be in proper form. Said encumbrance estimate shows that there is sufficient balance in the proper appropriation account to pay the rental for three and one-half months. Said encumbrance estimate is likewise returned.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2014.

TOWNSHIP ROAD CONSTRUCTION—GASOLINE TAX PROCEEDS APPLICABLE FOR SEWERS AND DRAINS.

SYLLABUS:

A township may use funds from its portion of the gasoline tax to pay the cost of such sewers and drains in connection with the construction of township roads, as are necessary for the drainage of such roads, as provided by Section 5541-8, General Code.