

1093.

## BONDS—CUYAHOGA COUNTY, \$7,000.00.

COLUMBUS, OHIO, August 25, 1939.

*Retirement Board, State Teachers' Retirement System, Columbus, Ohio.*

RE: Bonds of Cuyahoga County, Ohio \$7,000 (Limited).

GENTLEMEN: The above purchase of bonds appears to be part of one or more of four issues of refunding bonds, Series A and Series B of the above county of the aggregate amounts of \$2,740,000, \$760,000, \$735,000 and \$1,160,000, respectively, dated October 1, 1938. The transcripts relative to these issues were approved by this office in opinions rendered to your Board under dates of October 5 and 8, 1938, being Opinions No. 3048 and No. 3056.

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

Respectfully,

THOMAS J. HERBERT,  
*Attorney General.*

1094.

AGREEMENT—SUPPLEMENTAL, STATE WITH NORFOLK  
AND WESTERN RAILWAY COMPANY, ELIMINATION  
GRADE CROSSING OVER TRACKS, STATE HIGHWAY No.  
41, VILLAGE OF BATAVIA, CLERMONT COUNTY.

COLUMBUS, OHIO, August 25, 1939.

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

DEAR SIR: You have submitted supplemental agreement in duplicate between yourself, as 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 Railroad Company on State Highway No. 41, located at a point in Clermont County, Ohio, in the Village of Batavia.

After an examination, it is my opinion that when said supplemental agreement is properly executed, it will constitute a binding contract.

Said agreement is being returned herewith.

Respectfully,

THOMAS J. HERBERT,  
*Attorney General.*