

Ohio, which parcel of land is more particularly described in the transcript submitted.

Upon examination of the transcript of your findings and proceedings relating to the sale of this parcel, which consists of a little less than one quarter of an acre of land, and which you propose to sell for the sum of \$166.67, I find that there are set out all of the findings which, under the provisions of Section 13971 and other related sections of the General Code, you are required to make as a predicate to your authority to sell this property under the act of the 88th General Assembly set out in 113 O. L., 521.

Inasmuch as it appears from your communication submitting this transcript to me, that the Director of Highways has expressed his intention not to take over the parcel of land here in question, or any part thereof, for road purposes under the authority granted to him by Section 2 of the act of the 88th General Assembly, above referred to, I do not perceive any reason why your proceedings relating to the sale of this property should not be approved.

I am accordingly approving as to legality and form, the proceedings set out in the transcript relating to the sale of this parcel of canal lands, as is evidenced by my approval endorsed upon this transcript and upon the duplicate copy thereof.

Respectfully,

GILBERT BETTMAN,
Attorney General.

4367.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE TROY LAUNDRY MACHINERY COMPANY, INC., OF CHICAGO, ILL., FOR CONSTRUCTION AND COMPLETION OF LAUNDRY EQUIPMENT AT SCHOOL FOR THE BLIND, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$12,633.18—SURETY BOND EXECUTED BY THE UNITED STATES GUARANTEE COMPANY.

COLUMBUS, OHIO, May 28, 1932.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and opinion a contract between the State of Ohio, acting by and through the Department of Public Works, for and on behalf of the Department of Education, and the Troy Laundry Machinery Company, Inc., of Chicago, Illinois. This contract covers the construction and completion of Laundry Equipment at School for the Blind, Columbus, Ohio, in accordance with the form of proposal dated March 19, 1932. Said contract calls for an expenditure of twelve thousand six hundred and thirty-three and 18/100 dollars (\$12,633.18).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also furnished evidence to show that the Emergency Board and the Controlling Board have approved the expenditure in accordance with Section 8 of House Bill No. 624 of the 89th General Assembly. In addition, you have submitted a contract bond, upon which the United States Guarantee Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with. A certificate of the Secretary of State shows that the above mentioned contracting foreign corporation is admitted to do business in Ohio.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

4368.

BRIDGES AND CULVERTS—COUNTY ROAD OUTSIDE MUNICIPALITY
—WHEN CHANGED TO STATE HIGHWAY, SUCH MATERIAL BE-
LONGS TO STATE.

SYLLABUS:

Bridges and culverts on a county road outside of a municipality, upon being taken over by the department of highways as a state highway, become the property of the state.

COLUMBUS, OHIO, May 31, 1932.

HON. CHARLES T. STAHL, *Prosecuting Attorney, Bryan, Ohio.*

DEAR SIR:—This will acknowledge receipt of your recent request for my opinion, which reads:

“Prior to the state highway department taking over certain roads under the state system, all culverts, small and large bridges, on said routes so taken, were erected and paid for by the county.

The state highway department is now either widening these culverts and bridges or they are putting in entirely new structures.

The surveyor of this county would like to know to whom the iron and other material from the old culverts and bridges belongs.

It seems to me since the county paid for the same that it should revert back to the county as in many cases said material can be used by the county.”

I am informed from a subsequent communication that the bridges and culverts in question were located outside of a municipality.

By the terms of Section 7464, General Code, highways of the state are divided into three classes, namely, state roads, county roads and township roads.

Section 1189, General Code, provides for the method to be followed by the state director of highways in designating highways as state highways.

Section 7465, General Code, provides how main market or inter-county roads must be constructed so that the same may become state roads.