

1227.

APPROVAL, NOTE OF WAYNE TOWNSHIP RURAL SCHOOL DISTRICT,
MONTGOMERY COUNTY, OHIO—\$3,300.00.

COLUMBUS, OHIO, November 1, 1927.

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

1228.

RESOLUTION—AMENDED IN COMPLIANCE WITH OPINION NO. 1086,
SUPRA.

COLUMBUS, OHIO, November 1, 1927.

HON. GEORGE F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—I acknowledge receipt of your communication of recent date, enclosing copy of a resolution of the Board of County Commissioners of Clark County, amending several former resolutions which contained erroneous descriptions of the section of Inter-County Highway No. 196, to be improved upon a cooperative basis, between the county and the state, as provided in Sections 1191, et seq., of the General Code.

The several resolutions referred to were amended pursuant to Opinion No. 1086, of this department, addressed to the Prosecuting Attorney of Clark County, on the 30th day of September, 1927, the syllabus of which reads as follows:

“Where, subsequent to the filing of an application for state aid, an inter-county highway was relocated by the Director of Highways and Public Works as authorized by law, and all the various steps in the procedure to improve such highway, upon a cooperative basis between the county and the state as provided in Section 1191, et seq., of the General Code, have been taken, including the letting of the contract, and through inadvertence and mistake the description of the highway, as it was before its relocation, was incorporated in the resolution of the county commissioners approving the plans and determining to proceed, and in the resolution authorizing a bond issue, all other necessary legislation, the plans, the advertisement for bids and the contract containing a description of the road as relocated, it is the duty of such board of county commissioners to correct such erroneous description to conform with its actual intention, by amending said resolution to show correctly the description of the particular section of the highway to be improved.”

I have carefully examined said resolution, and find that the same was adopted in substantial compliance with the holdings of Opinion No. 1086, supra, and it is my