



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

**JOHN BEN SHEPPERD  
ATTORNEY GENERAL**

June 7, 1954

Mr. Claude Isbell  
Executive Secretary  
Board of Regents for  
State Teachers Colleges  
Box K, Capitol Station  
Austin, Texas

Opinion No. MS-135

Re: Approval by the Board of Control of contract between Sul Ross State Teachers' College and the Texas Highway Department under Article 4413(32), V.C.S. for services and use of highway equipment in construction of a parking area for Sul Ross State College.

Dear Mr. Isbell:

In your recent opinion request to this office you submitted a contract between the Texas Highway Department and Sul Ross State College under the terms of which the Highway Department is to furnish engineering services and necessary equipment to construct a parking area for Sul Ross State College. You ask if, under H. B. 312 passed by the 53rd Legislature, the Highway Department and Sul Ross State College are authorized to enter into this contract and if the Board of Control is authorized to approve said contract.

H. B. 312 of the 53rd Legislature was enacted as Chapter 340, Acts of the 53rd Legislature, R.S. 1953, and is codified as Article 4413(32), Vernon's Civil Statutes.

It is our opinion that the proposed parking lot is not a highway, street, road, building, or structure, and that therefore the Highway Department and Sul Ross State College are authorized under Article 4413(32), V.C.S., known as the Inter-Agency Cooperation Act, to enter into the proposed contract, and the Board of Control is authorized to approve said contract.

Yours very truly,

JOHN BEN SHEPPERD  
Attorney General

By  
Milton Richardson  
Assistant

MR:wb/cg