

3559.

APPROVAL, CONTRACT OF STATE OF OHIO WITH MILTON H. COY, TOLEDO, FOR ONE DEEP WATER WELL AT TOLEDO STATE HOSPITAL AT A COST NOT TO EXCEED \$4,000—SURETY BOND EXECUTED BY GEORGE E. COY OF TOLEDO.

COLUMBUS, OHIO, August 26, 1922.

HON. H. S. MACAYEAL, *Director, Department of Public Welfare, Columbus, Ohio.*

DEAR SIR:—You have submitted to me for approval a contract (three copies) between the State of Ohio, acting by the Department of Public Welfare, and Milton H. Coy, of Toledo, Ohio. This contract is, for one deep water well for the Toledo State Hospital, of the Department of Public Welfare, as covered by the proposal of the party of the first part which proposal is made a part of this contract, and calls for an expenditure of not to exceed four thousand dollars (\$4,000.00).

Accompanying said contract is a bond to insure faithful performance, executed by George E. Coy, of Toledo, Ohio.

I have before me the certificate of the Director of Finance that there is an unencumbered balance legally appropriated sufficient to cover the obligations of this contract.

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

Respectfully,
JOHN G. PRICE,
Attorney-General.

3560.

ABSTRACT OF TITLE—759 ACRES OF LAND SITUATE IN FRANKLIN TOWNSHIP, ROSS COUNTY, PART OF SURVEY NO. 15365 VIRGINIA MILITARY LANDS—OPINION NO. 3479—NEW DEED CONTAINING EXCEPTION WITH REFERENCE TO OIL AND GAS.

COLUMBUS, OHIO, August 29, 1922.

HON. CARL E. STEEB, *Secretary Board of Control, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—On August 8, 1922, this department rendered an opinion to you (No. 3479) concerning the title to 759 acres of land situated in Franklin township, Ross county, Ohio, the same being a part of survey No. 15365 of the Virginia Military Lands. In said opinion your attention was called to the fact that the deed of conveyance from Charles M. Lott, the owner of said land, to the State, contained the following exception:

“Excepting from this grant all the oil, gas and oil producing shale and reserving the right to enter upon said premises for the purpose of prospecting for and producing oil and gas. Where oil and gas is produced from shale, the by-products of the process are also hereby excepted.”

Since the rendition of said opinion, you have secured the consent of the owner to eliminate from the clause of exception the reference to oil producing shale and to