

1264.

APPROVAL, LEASE TO ABANDONED CANAL LAND IN MAD RIVER TOWNSHIP, MONTGOMERY COUNTY—E. O. MARSHALL.

COLUMBUS, OHIO, December 6, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval two certain leases in triplicate, executed by you, in your official capacity as Superintendent of Public Works and as Director of said department, by which there are leased and demised to one E. C. Marshall of Dayton, Ohio, certain parcels of abandoned Miami and Erie canal lands in Mad River Township, Montgomery County, Ohio, which parcels of land are more particularly described in said leases; one of said leases covers two parcels of land containing 7500 square feet and 35,000 square feet, respectively, of the aggregate appraised value of \$400.00; and the other lease here in question covers two parcels of land containing 7500 square feet and 31,425 square feet, respectively, of the aggregate appraised value of \$500.00. Each of said leases is for the stated term of ninety years, subject to reappraisal at the end of each period of fifteen years, during the term of the lease.

Both of the leases here under consideration were executed under authority provided for by House Bill No. 162 passed by the 86th General Assembly, March 25, 1925. 111 O. L., 208.

A careful examination of the provisions of each of said lease indentures shows that they are in conformity with the requirements of the act above referred to, and with other statutory provisions relating to the execution of leases of this kind. Said leases are accordingly approved by me as to legality and form, and my approval is endorsed upon said leases and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1265.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND WALTER G. SCHIRTZINGER, COLUMBUS, OHIO, FOR RENEWAL OF ROOF OF MAIN BUILDING, COLUMBUS STATE HOSPITAL, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$9,300.00—SURETY BOND EXECUTED BY THE MASSACHUSETTS BONDING AND INSURANCE COMPANY.

COLUMBUS, OHIO, December 6, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Department of Public Welfare (Columbus State Hospital), and Walter D. Schirtzinger, of Columbus, Ohio. This contract covers the construction and completion of Renewal of Roof of Main Building, Columbus State Hospital, Columbus, Ohio, and calls for an expenditure of nine thousand three hundred dollars (\$9,300.00).

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 the effect that the consent and approval of the Controlling Board to the expenditure have been obtained as required by Section 11 of House Bill 510 of the 88th General Assembly. In addition, you have submitted a contract bond, upon which the Massachusetts Bonding and Insurance 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.

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.

1266.

APPROVAL, BONDS OF GEAUGA COUNTY—\$14,960.75.

COLUMBUS, OHIO, December 6, 1929.

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

1267.

DISAPPROVAL, LEASE FOR PIPE LINE RIGHT OF WAY ON CANAL LAND IN WASHINGTON TOWNSHIP, SCIOTO COUNTY—MINAMAX GAS COMPANY, PORTSMOUTH, OHIO.

COLUMBUS, OHIO, December 6, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You recently submitted for my examination and approval a certain lease indenture in triplicate executed by you as Superintendent of Public Works and as Director of said department, by which there is leased and demised to the Minamax Gas Company of Portsmouth, Ohio, certain portions of abandoned canal lands in Washington Township, Scioto County, Ohio, therein more fully described, and also a right of way to maintain a pipe line along the northerly embankment of the Ohio canal, extending from the westerly line of the above described property, at or near Station 2633-55 easterly, three thousand (3000) feet, more or less, to the Scioto River.

This lease, which is one for the stated term of fifteen years, calls for an annual rental of \$160.00, of which \$100.00 is the annual rental of said parcels of land leased for filling station and park site purposes, and \$60.00 is the annual rental for the pipe line right of way privilege.

The lease of the two parcels of Ohio canal lands provided for in said lease indenture is, I assume, under the authority of Section 14203-14, General Code, which is