

1371.

LEASE — RESERVOIR LAND, STATE TO J. D. BOOHER, DESIGNATED LAND, WESTERLY EMBANKMENT, LAKE ST. MARYS OR GRAND LAKE, USE, COTTAGE SITE AND DOCKLANDING PURPOSES.

COLUMBUS, OHIO, November 2, 1939.

HON. DON G. WATERS, *Commissioner, Division of Conservation and Natural Resources, State Office Building, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval a certain reservoir land lease in triplicate, executed by the State of Ohio, through you as Commissioner of the Division of Conservation and Natural Resources to J. D. Booher of Celina, Ohio.

By this lease, which is one for a term of fifteen years and which provides for an annual rental of \$68.00, there is leased and demised to the lessee above named, permission to occupy and use for cottage site and dock-landing purposes, one-half of that portion of the inner slope and waterfront and all of the outer slope of the westerly embankment of Lake St. Marys or Grand Lake, and the State land in the rear thereof, extending back to the State ditch that is included in that portion of embankment lot No. 47, lying south of the center line of Section 12, Town 6 South, Range 2 East, and of Lot No. 48, as laid out by H. E. Whitlock under the direction of the Superintendent of Public Works in June, 1920; said lot No. 45 having a frontage of eighty-six (86') feet, more or less, and lot No. 48 having a frontage of one hundred (100') feet, as measured along the top of the outer slope of said embankment, the State reserving therefrom the right to locate a driveway along the easterly side of the State ditch. This lease is for a renewal of a lease originally granted to Harry Hight under date of September 16, 1924, and by proper transfer now owned by the grantee herein.

Upon examination of this lease, I find that the same has been properly executed by you as Commissioner of the Division of Conservation and Natural Resources and by said lessee. I further find, upon consideration of the provisions of this lease and of the conditions and restrictions therein contained, that the same are in conformity with Section 471, General Code, under the authority of which this lease is executed, and with other statutory enactments relating to leases of this kind.

I am accordingly approving this lease as to legality and form, as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

THOMAS J. HERBERT,  
*Attorney General.*