

3397.

APPROVAL—RESERVOIR LAND LEASE AT BUCKEYE LAKE, FAIRFIELD COUNTY, OHIO, FOR THE RIGHT TO USE AND OCCUPY FOR COTTAGE SITE AND DOCKLANDING PURPOSES—CHAS. J. GREGG.

COLUMBUS, OHIO, October 31, 1934.

HON. EARL H. HANEFELD, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a communication of recent date over the signature of the Chief of the Bureau of Inland Lakes and Parks, submitting for my examination and approval a reservoir land lease in triplicate executed by the Conservation Commissioner to one Chas. J. Gregg of Dayton, Ohio.

By the lease here in question, which is one for a term of fifteen years and which provides for an annual rental of forty-two dollars, payable semiannually, there is granted, leased and demised to the lessee above named the right to occupy and use for cottage site and docklanding purposes, a small island in Buckeye Lake, commonly known as "Castle Island" in the Southwest Quarter of Section 27, Town 17, Range 18, Fairfield County, Ohio, and being the same island originally leased by the State of Ohio to William S. Larimer by lease dated July 10th, 1894, and subsequently re-leased to C. Edward Born by lease dated November 10th, 1910, and containing 1/12 of an acre, more or less.

Upon examination of this lease, I find that the same has been properly executed by the Conservation Commissioner and by Chas. J. Gregg, the lessee therein named. Upon examination of the provisions of the lease and of the conditions and restrictions therein contained, I find the same to be in conformity with section 471 and other sections of the General Code 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,

JOHN W. BRICKER,
Attorney General.

3398.

APPROVAL—CONTRACT BETWEEN STATE OF OHIO AND THE McCABE CONSTRUCTION CO. OF CINCINNATI, OHIO, FOR THE CONSTRUCTION AND COMPLETION OF CONTRACT AT LONGVIEW STATE HOSPITAL.

COLUMBUS, OHIO, October 31, 1934.

HON. JOHN MCSWEENEY, *Director of Public Welfare, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and opinion a contract between the State of Ohio, acting by and through the Department of Public Welfare (Athens State Hospital), and the McCabe Construction Company of Cincin-

nati, Ohio. This contract covers the construction and completion of contract for moving and resetting boiler from Longview State Hospital to Athens State Hospital, in accordance with the Form of Proposal dated October 16, 1934. Said contract calls for an expenditure of three thousand four hundred and fifty dollars (\$3,450.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in an amount sufficient to cover the obligations of the contract; also a certificate of the Controlling Board shows that such board has consented to the expenditure of the funds for this contract, appropriated by House Bill No. 699 of the 90th General Assembly, regular session.

In addition, you have submitted a contract bond upon which the Hartford Accident and Indemnity Company of Hartford, Connecticut, appears as surety, sufficient to cover the amount of the contract.

You have also 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,

JOHN W. BRICKER,
Attorney General.

3399.

REAL PROPERTY—RECEIVER MAY OBTAIN BENEFITS OF AMENDED
SENATE BILL NO. 200—PURCHASER AT FORECLOSURE SALE
ENTITLED TO INCIDENTAL BENEFITS OF SAID LAW.

SYLLABUS:

1. *Where real property is placed by the courts in the hands of a receiver, such receiver having obtained the permission of the court appointing him, may receive the incidental benefits of Amended Senate Bill No. 200 as Amended by Amended Substitute Senate Bill No. 53 as enacted by the 90th General Assembly, provided all the other conditions set forth in the law have been complied with.*

2. *Where real property has been sold by the court on foreclosure order and is acquired by a person, company, bank or building and loan company, such person, company, bank, or building and loan company may receive the incidental benefits of Amended Senate Bill No. 200 as amended by Amended Substitute Senate Bill No. 53 as enacted by the 90th General Assembly, provided all the other conditions of the law have been complied with in respect to the housing of indigent families.*

COLUMBUS, OHIO, November 3, 1934.

The State Relief Commission of Ohio, Pure Oil Building, Columbus, Ohio.

GENTLEMEN:—I am in receipt of your recent communication which reads as follows: