

You have also submitted an encumbrance estimate No. 1 which bears the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated sufficient to pay the contract price.

You have further evidence showing that the Controlling Board has approved the expenditure.

Finding said contract in legal form, I hereby approve said contract and return to you all the papers submitted.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3526.

APPROVAL, DEED FORM OF DEED, CONVEYING TO SYLVESTER F. OSTERBRINK, CANAL LANDS IN THE CITY OF CINCINNATI, OHIO.

COLUMBUS, OHIO, August 28, 1931.

HON. A. T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of your recent communication submitting for my examination and approval a deed form of a deed to be executed by the Governor, conveying to one Sylvester F. Osterbrink, for the consideration therein stated, parcel No. 168 of surplus Miami and Erie Canal Lands relinquished by the City of Cincinnati to the State of Ohio under the provisions of Senate Bill No. 123, as passed by the 87th General Assembly of the State of Ohio under date of April 20, 1927, (O. L. 112, p. 210). The parcel of land above referred to is more particularly described as follows:

“A tract of land in The City of Cincinnati, Section No. 21, Millcreek Township, Hamilton County, Ohio, lying south of and adjacent to Lot No. 175 of E. Knowlton's Subdivision, lying northeast of the Ludlow Avenue Viaduct, and bounded and described as follows:—Beginning in the westerly line of said Lot No. 175 at the intersection of the northerly State line of the Miami and Erie Canal land, said intersection being 272.89 feet southeastwardly from the north line of said Section No. 21, thence southeastwardly 45 feet more or less along the extension of the westerly line of said Lot No. 175 to a line which is 30 feet northwestwardly from and parallel with the center line (between tracks) of the Rapid Transit System, thence northeastwardly 188 feet more or less along said line which is 30 feet northwestwardly from the center line of the Rapid Transit System to the extension of the westerly line of Canal Ridge Road, said westerly line of Canal Ridge Road being the east line of said Lot No. 175, thence northwardly 10 feet more or less along the extension of the westerly line of Canal Ridge Road to the said northerly State line at a point 227.06 feet south of the north line of said Section No. 21, thence westwardly 185.5 feet along the said northerly State line to the place of beginning and being part of Miami and Erie Canal State land and containing approximately 4460 square feet.”

There is nothing by way of recital in said deed, or in your communication submitting the same, advising me whether the grantee named in said deed is the owner of property abutting upon the parcel of land above described; inasmuch,

however, as the time within which abutting property owners had a preferred right to purchase the several parcels of surplus Miami and Erie Canal Lands from the State has long since past, no question can now be raised with respect to your right to sell this property to the grantee named in said deed.

Upon examination of said deed form, I find that the same corresponds in every respect with the requirements of said act; and said deed is approved by me as to legality and form as is evidenced by my endorsed approval thereon.

Respectfully,
 GILBERT BETTMAN,
Attorney General.

3527.

APPROVAL, LEASE TO STATE RESERVOIR LANDS AT PORTAGE
 LAKES—WM. A. BLANK—H. D. STEVENS.

COLUMBUS, OHIO, August 28, 1931.

HON. I. S. GUTHERY, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of recent communications from the Division of Conservation in your Department submitting for my examination and approval two certain reservoir land leases in triplicate, by which there are leased to Wm. A. Blank and H. D. Stevens, the respective lessees therein named, and for terms of fifteen years each, two certain parcels of State reservoir lands at the Portage Lakes. One of these parcels, which has an appraised valuation of \$100.00, is described as being the water front and State land in the rear thereof, that lies immediately in front of Lot No. 9, of the Lakeview Terrace Addition, Portage Lakes. The other parcel of land, above referred to, has likewise an appraised valuation of \$100.00 and is described as being a water front and State land in the rear thereof, that lies immediately in front of Lot No. 230, of the Sawyer and Haynes Shore Acres, Portage Lakes.

Upon examination of these leases, each of which call for an annual rental of \$6.00, payable semi-annually, I find that the same have been properly executed and that the terms and provisions thereof are in conformity with the requirements of section 471, General Code, as amended in the enactment of the Conservation Act, and with other statutory provisions relating to leases of this kind.

I am accordingly approving said leases as is evidenced by my approval endorsed thereon and upon the triplicate copies thereof.

Respectfully,
 GILBERT BETTMAN,
Attorney General.

3528.

MUNICIPALITY—BUILDING DEPARTMENT OF CITY HAS NO JURIS-
 DICTION OVER STATE BUILDING LOCATED IN MUNICIPALITY.

SYLLABUS:

The jurisdiction of the officers and other employes of the building department of a municipal corporation in this state, acting under the assumed authority of an ordinance passed by the council of such municipality, does not extend to a building owned by the state in the municipality, with respect to alterations and repairs which the public safety requires to be made in such buildings.