

1526.

APPROVAL—CONTRACT BY AND BETWEEN THE STATE OF OHIO AND THE CENTRAL OHIO LIGHT AND POWER COMPANY OF FINDLAY, OHIO, GRANTING THE RIGHT TO TAKE FROM THE ST. MARYS FEEDER OF THE MIAMI AND ERIE CANAL SUCH AMOUNT OF WATER AS MAY BE NECESSARY FOR STEAM GENERATION IN OPERATION OF AN ELECTRIC POWER PLANT IN ST. MARYS, OHIO.

COLUMBUS, OHIO, November 23, 1937.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: This is to acknowledge the receipt of your recent communication with which you submit for my examination and approval a certain contract and agreement in triplicate executed by you as Superintendent of Public Works in and by which you give and grant to the Central Ohio Light and Power Company of Findlay, Ohio, the right to take from the St. Marys Feeder of the Miami and Erie Canal such amount of water as may be necessary for steam generation, condensing and sanitary purposes in the operation by the Central Ohio Light and Power Company of an electric power generating plant in St. Marys, Ohio.

By the provisions of this agreement, said company in consideration of the grant to it of the water rights above referred to contracts and agrees to pay to the State of Ohio an annual ready to serve rental of \$500.00 during the term of the lease from January 1, 1937, to January 1, 1942, and to pay in addition thereto a rental of \$0.75 per hour or part thereof during which said electric power company is in operation, during the term of said lease.

This lease is one executed by you under the authority of Section 14009, General Code, which authorizes the Superintendent of Public Works to sell or lease the right to use surplus water in the state canals, feeders or reservoirs for hydraulic or other purposes for any term not exceeding twenty-five years for a certain annual rental or otherwise as he, the Superintendent of Public Works, may deem most beneficial for the interests of the State; and that such sale or lease may be subject to such conditions, reservations and restrictions as he may deem necessary and proper.

Upon examination of this lease, I find that the same has been properly executed by you as Superintendent of Public Works for and

in the name of the State of Ohio and by the Central Ohio Light and Power Company, by the hand of its Vice President, acting pursuant to a resolution of the Board of Directors of said company duly adopted under date of August 17, 1937.

Further, upon examination of this lease, I find that the provisions thereof and the conditions, restrictions and reservations therein contained are such as are authorized by the comprehensive provisions of Section 14009, General Code, above referred to. I am, accordingly, approving this lease instrument as is evidenced by my approval endorsed upon this instrument and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

1527.

APPROVAL—CONTRACT BY AND BETWEEN THE STATE OF OHIO AND THOMAS A. ALTLAND OF MASSILLON, OHIO, FOR HEATING CONTRACT ON A PROJECT KNOWN AS NEW COTTAGE MASSILLON STATE HOSPITAL, MASSILLON, OHIO.

COLUMBUS, OHIO, November 23, 1937.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my approval a contract by and between the State of Ohio, acting by the Department of Public Works, Carl G. Wahl, Director, for the Department of Public Welfare, and Thomas A. Altland, Massillon, Ohio, for the heating contract on a project known as New Cottage, Massillon State Hospital, Massillon, Ohio, which contract calls for a total expenditure of four thousand eight hundred and sixty-nine dollars (\$4,869.00).

You have also submitted the following papers and documents: Encumbrance estimate No. 51, division of contract, estimate of cost, notice to bidders, proof of publication, workmen's compensation certificate of the contractor, recommendations of the State Architect, Director of Public Welfare and Director of Public Works, the Controlling Board releases, the tabulation of bids, letter of certification from the Auditor of State stating that the necessary papers and speci-