

lease, so-called, in triplicate which has been executed by you as superintendent of public works on behalf of the State of Ohio, and by the terms and provisions of which there is leased and demised to one Jeff Moser of Spencerville, Ohio, the right to insert a one (1") inch pipe into the level of the Miami and Erie Canal at a point above lot No. 16, north of the Loramie Summit, and to take from the canal at this point water for the purpose of generating steam for the operation of a sawmill by said lessee.

The lease here in question is one for a term of five years, and the same calls for the payment of an annual rental of \$24.00 payable annually in advance on the first day of November of each and every year.

Upon examination of said lease I find that the same has been properly executed by you in your official capacity as superintendent of public works, and as director of said department on behalf of the state of Ohio, and by the lessee above named. I further find upon examination of said lease that the same and terms and conditions thereof are in conformity with provisions of sections 431 and 14009, General Code, relating to the execution of leases of this kind, and the same is accordingly hereby approved by me as to legality and form; and my approval is endorsed upon said lease and upon the duplicate and triplicate copies thereof, all of which you will find enclosed herewith.

Respectfully,

GILBERT BETTMAN,

Attorney General.

3368.

APPROVAL, LEASE FOR RIGHT TO INSERT GAS PIPE INTO LEVEL OF MIAMI AND ERIE CANAL AT ST. MARYS, OHIO—THE NEW YORK, CHICAGO & ST. LOUIS RAILROAD COMPANY.

COLUMBUS, OHIO, June 27, 1931.

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

DEAR SIR:—You have this day submitted for my examination and approval a certain water pipe lease in triplicate which has been executed by you as superintendent of public works on behalf of the State of Ohio, by which lease there is leased and granted to The New York, Chicago & St. Louis Railroad Company the right for a term of five years to insert into the level of the Miami & Erie Canal at St. Marys, Ohio, one three (3") inch pipe and thereby take from the canal at this point water for the purpose of supplying locomotives used for operating by said above named lessee.

The lease here in question which calls for the payment of an annual rental of \$216.00 payable semi-annually on the first days of May and November in each year during the term of said lease, has been properly executed by you in your official capacity as superintendent of public works, and as director of said department on behalf of the State of Ohio, and likewise by The New York, Chicago & St. Louis Railroad Company by the hands of its vice president and assistant secretary acting under the authority of a resolution of the board of directors of said company authorizing the execution of said lease upon the terms and conditions therein provided.

Upon examination of said lease I further find that the same is in conformity with provisions of sections 431 and 14009, General Code, relating to the execution

of leases of this kind, and the same is accordingly hereby approved by me as to legality and form; and my approval is endorsed upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3369.

APPROVAL, FIVE LEASES TO RESERVOIR LAND AT BUCKEYE LAKE, OHIO.

COLUMBUS, OHIO, June 27, 1931.

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

DEAR SIR:—This is to acknowledge receipt of communications from your department over the signature of the Chief of the Bureau of Inland Lakes & Parks, submitting for my examination and approval, five certain reservoir land leases in triplicate executed by the State of Ohio through the Conservation Commissioner, by which leases there are leased and demised to the respective lessees therein named, certain parcels of reservoir lands at Buckeye Lake.

The leases here in question which are each for a term of fifteen years, are here designated with respect to the names of the respective lessees and the valuations of the several parcels of reservoir lands leased, as follows:

| LESSEE | VALUATION |
|-------------------------|-----------|
| Frank White..... | \$300.00 |
| James R. Strickler..... | 100.00 |
| Daisy Ferrenburg..... | 300.00 |
| Daniel A. Heffner..... | 100.00 |
| Wm. D. Shull..... | 200.00 |

The annual rental reserved in each and all of said leases is an amount equal to six percent of the valuation of the particular parcels of reservoir land covered by the lease; and each of said leases contains such conditions and reservations as are required by law or are appropriate for the protection of the state or public with respect to the use to be made of the property leased.

Upon examination of said leases, I find that each and all of the same have been properly executed by the Conservation Commissioner, acting on behalf of the State of Ohio, and by said respective lessees. These leases are executed by the Conservation Commissioner under the authority of Section 471 of the General Code, and the provisions of said leases are in conformity with the provisions of this section and other sections of the General Code, relating to leases of this kind. Said leases are accordingly hereby 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.