

1635.

LEASE—RESERVOIR LAND, STATE TO THE MARION-RESERVE POWER COMPANY OF SIDNEY, DESIGNATED LAND, LAKE ST. MARYS OR GRAND LAKE, AUGLAIZE AND MERCER COUNTIES, PERMIT TO LOCATE AND MAINTAIN POLE LINES OR TOWERS, USE, TRANSMISSION OF ELECTRICAL ENERGY.

COLUMBUS, OHIO, December 30, 1939.

HON. DON G. WATERS, *Commissioner, Division of Conservation and Natural Resources, 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 The Marion Reserve Power Company of Sidney, Ohio.

By this lease, which is one for a term of fifteen years and which provides for an annual rental of \$200.00, there is leased and demised to the lessee above named, permission to locate and maintain a line of poles, or towers, upon which to support wires or cables for the transmission of electrical energy for illuminating, heating and power purposes, and purposes incidental thereto, upon the State reservoir lands in, upon, and around the Reservoir Park known as "Lake St. Marys or Grand Lake", in Auglaize and Mercer Counties, Ohio, subject, however, to all existing leases, including leases for cottage sites, docklandings, driveways, highways, walkways and all public purposes connected with the control and management of the reservoir and adjacent State lands as a public park.

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.