

is that conferred by the provisions of the Act of April 19, 1929, 113 Ohio Laws, 521. Assuming, as I do, that the parcel of land here in question has not been sold or leased to any other person or corporation I am of the opinion that you have authority to make the sale under the provisions of the act of the legislature above referred to.

Upon examination of this transcript, I further find that you have made a finding of the facts upon the existence of which your authority to make this sale is predicated, and inasmuch as your proceedings relating to this sale appear to be in all respects regular, I am approving the same as is evidenced by my approval endorsed upon the transcript of your proceedings and upon the duplicate copy thereof, both of which are herewith returned.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1435.

LEASES—RESERVOIR LAND, STATE TO H. DRUE ALEXANDER, SECTION 36, TOWN 6 SOUTH, RANGE 8 EAST, ALONG STATE ROUTE 32, INDIAN LAKE, LOGAN COUNTY—TO WILLIAM C. HOLLENBACK AND JESSIE M. HOLLENBACK, PROXIMITY LOT 629, SECTION 36, TOWN 6 SOUTH, RANGE 8 EAST, INDIAN LAKE, LOGAN COUNTY.

COLUMBUS, OHIO, November 16, 1939.

HON. DON G. WATERS, *Commissioner, Division of Conservation and Natural Resources, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval two reservoir land leases executed by the State of Ohio, through you as Commissioner of the Division of Conservation and Natural Resources to H. Drue Alexander of Russells Point, Ohio and William C. Hollenback and Jessie M. Hollenback of Columbus, Ohio, by which there were leased and demised to the lessees therein named parcels of reservoir lands owned by the State of Ohio at Indian Lake, Ohio.

One of these leases, executed to H. Drue Alexander, is for permission to occupy and use for cottage sites, dock-landing and business purposes, that portion of the State reservoir property located in Section 36, Town 6 South, Range 8 East, Logan County, Ohio, and described as follows:

Beginning at a cross mark on the top of the concrete wall along the northerly line of the road formerly known as the "Bank Road", now known as State Route 32; said cross mark being

located 22.25 feet northwesternly from a cross mark on said wall which locates the south line of said Section 36, and running thence northwesterly with the northerly line of said State Route 32, 296.5 feet to a point which is 20 feet northeasterly from the center line of the paved roadway as not located, and measured at right angles thereto; thence northeasterly at right angles to said road line, 60 feet to the southerly line of the dredge channel as now located; thence by an angle 27 degrees 27' to the right north-easterly across said dredge channel and the peninsula immediately north 150 feet, more or less, to the northerly line of said peninsula; thence southeasterly with the northerly line of said peninsula produced, 150 feet, more or less, to the easterly line of said peninsula; thence in a southeasterly direction, 150 feet, more or less, to the place of beginning. Also, the outer slope of the reservoir embankment on the south side of State Route 32, beginning at the intersection of the southwesterly line of the State reservoir land with the southerly line of Section 36, Town 6 South, Range 8 East, and running thence westerly with said southwesterly line, 300 feet, more or less, to a pignut tree 12" in diameter on the southerly side of said State Route No. 32.—Annual rental \$228.00.

The other lease executed to William C. Hollenback and Jessie M. Hollenback is for permission to occupy and use for docklanding and walkway purposes only, that portion of the waterfront and State land in the rear thereof, extending back to a line one foot above the waste-weir line of Indian Lake, that lies immediately in front of Lot No. 629 on Orchard Island in Indian Lake, and being part of Section 36, Town 6 South, Range 8 East, Logan County, Ohio, with permission to dredge the bottom of the lake in front of said lot and of depositing the dredgings back of the waste-weir line of said lake for the purpose of raising the grade thereof sufficient for cottage site purposes. Annual rental, \$6.00.

Upon examination of the leases hereinabove referred to, both of which are for a stated term of fifteen years, I find that both of the same have been properly executed by you as Commissioner of the Division of Conservation and Natural Resources and by the leases therein named.

I further find, upon examination of the provisions of these leases and of the conditions and restrictions therein contained, that the same are in conformity with Section 471, General Code, under the authority of which these leases are executed, and with other statutory enactments relating to leases of this kind.

I am accordingly approving these leases, as to legality and form, as

is evidenced by my approval endorsed upon the leases and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1436.

LEASE—STATE GAME AND BIRD REFUGE, TO STATE FROM
EUGENIA B. REDDIN, DESIGNATED LAND, HENRY
TOWNSHIP, WOOD COUNTY.

COLUMBUS, OHIO, November 16, 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 lease executed by Eugenia B. Reddin to the State of Ohio, on a parcel of land in Henry Township, Wood County, Ohio, containing 80 acres of land. By this lease, which is one for a term of one (1) year, this land is leased and demised to the state solely for state game refuge purposes; and it is noted in this connection that acting under the provisions of Section 1435-1 and other related sections of the General Code, the Conservation Council, acting through you as Commissioner of the Division of Conservation and Natural Resources, has set this property aside as a state game and bird refuge during the term of said lease.

Upon examination of this lease, I find that the same has been properly executed and acknowledged by said lessor and by the Conservation Council acting on behalf of the State through you as Commissioner, Division of Conservation and Natural Resources.

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.