

4684.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE JOHN VAN RANGE COMPANY, CINCINNATI, OHIO, FOR CONSTRUCTION AND COMPLETION OF CONTRACT FOR BAKERY EQUIPMENT FOR FOOD SERVICE BUILDING AT MIAMI UNIVERSITY, OXFORD, OHIO, AT AN EXPENDITURE OF \$9,315.96—SURETY BOND EXECUTED BY THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

COLUMBUS, OHIO, October 11, 1932.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Board of Trustees of Miami University, Oxford, Ohio, and The John Van Range Company of Cincinnati, Ohio. This contract covers the construction and completion of Contract for Bakery Equipment for a building known as Food Service Building, Miami University, Oxford, Ohio, according to Item M-6, Item M-28 (Alternate M-Q) and Item M-29 (Alternate M-R) of the form of proposal dated July 15, 1932. Said contract calls for an expenditure of nine thousand three hundred and fifteen and 96/100 dollars (\$9,315.96).

You have submitted the certificate of the Secretary of the Board of Trustees of Miami University to the effect that there are available moneys from receipts of the boarding department of Miami University sufficient to cover the cost of erection of a food service building. You have also shown that the executive committee of the Board of Trustees of Miami University has authorized the construction of such building. In addition, you have submitted a contract bond upon which the Fidelity and Deposit Company of Maryland appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation act have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

4685.

APPROVAL, TWO LEASES TO RESERVOIR LAND AT LAKE ST. MARYS AND INDIAN LAKE, OHIO.

COLUMBUS, OHIO, October 13, 1932.

HON. EARL H. HANEFELD, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your recent communication

submitting for my examination and approval certain leases in triplicate by which there are leased and demised to the respective lessees therein named certain parcels of reservoir land.

Said leases are for a term of fifteen years and call for an annual rental of six per cent upon the appraised value of the parcel of land leased. The leases above referred to are the following:

<i>Lessee</i>	<i>Location</i>	<i>Valuation</i>
Sophia Martens	Lake St. Marys	\$1200.00
B. C. and W. C. Wallace	Indian Lake	1416.67

Upon examination of said leases and the provisions thereof, I find that the same have been executed in conformity with the authority and provisions of Section 471, General Code, and in conformity with the requirements of other statutory provisions relating to leases of this kind.

My examination also discloses that one of the provisions contained in both leases is of doubtful authority and effect, but I do not think said provision affects the validity of the leases or their main purposes as provided by the valid provisions therein. Such provision has reference to a new lease being required from the state at the expiration of this lease by the actual owners of the building or buildings located upon said ground and the ground used in connection therewith.

However, I do not think that the provision of the leases above discussed, in any wise, affects the other provisions of the leases which are within the scope and authority of statutory provisions relating to leases of this kind, and said leases are, accordingly, hereby approved as to legality and form as is evidenced by my authorized signature upon said leases and upon the duplicate and triplicate copies thereof.

Respectfully,
 GILBERT BETTMAN,
Attorney General.

4686.

DEDICATION—PLAT OF ALLOTMENT OUTSIDE MUNICIPALITY RECORDED PRIOR TO 1929—ACCEPTANCE BY PUBLIC AUTHORITY UNNECESSARY.

SYLLABUS:

Where a plat of an allotment outside of a municipality, which is not required to be approved by a city planning commission, was prepared, certified, acknowledged and recorded prior to the amendment of section 3583, General Code, and the enactment of section 3583-1, General Code, in accordance with the statutes then in force, no acceptance by any public authority is necessary to complete the dedication of the land therein expressed, named, or intended for public use, and such dedication having been completed prior to the effective date of the amendment, such amendment cannot apply thereto.