

1245.

EASEMENT—TO STATE BY ERMA L. FRY, ET AL., LAND,
CONCORD TOWNSHIP, DELAWARE COUNTY, USE, PUBLIC
FISHING GROUNDS.

COLUMBUS, OHIO, September 29, 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 grant of easement No. 3160, executed to the State of Ohio by Erma L. Fry, Stella Fry and Ada Ruth Fry, conveying to the State of Ohio, for the purposes therein stated, a certain tract of land in Concord Township, Delaware County, Ohio.

By the above grant there is conveyed to the State of Ohio. certain land described therein, for the sole purpose of using said land for public fishing grounds, and to that end to improve the waters or water courses passing through and over said land.

Upon examination of the above instrument, I find that the same has been executed and acknowledged by the grantor in the manner provided by law and am accordingly approving the same as to legality and form, as is evidenced by my approval endorsed thereon, which is herewith returned.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1246.

EASEMENT—TO STATE BY ED. L. MACHETANZ, ET AL.,
LAND, GRANDVIEW TOWNSHIP, WASHINGTON
COUNTY, USE, PUBLIC FISHING GROUNDS.

COLUMBUS, OHIO, September 29, 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 grant of easement, No. 3161, executed to the State of Ohio by Ed. L. Machetanz, Geo. G. Machetanz and Chas. H. True, conveying to the State of Ohio, for the purposes therein stated, a certain tract of land in Grandview Township, Washington County, Ohio.

By the above grant there is conveyed to the State of Ohio, certain

land described therein, for the sole purpose of using said land for public fishing grounds, and to that end to improve the waters or water courses passing through and over said land.

Upon examination of the above instrument, I find that the same has been executed and acknowledged by the grantors in the manner provided by law and am accordingly approving the same as to legality and form, as is evidenced by my approval endorsed thereon, which is herewith returned.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1247.

COUNTY AGRICULTURAL SOCIETY—FUNDS APPROPRIATED BY COUNTY COMMISSIONERS—MAY NOT BE USED AS GENERAL OPERATING FUND—MAY ONLY BE USED TO PAY PRE-EXISTING INDEBTEDNESS—SECTION 9887, G. C.

SYLLABUS:

The funds appropriated by the county commissioners under the authority of Section 9887, General Code, may only be used for the purpose of paying pre-existing indebtedness of a county agricultural society and may not be used by the society as a general operating fund.

COLUMBUS, OHIO, September 29, 1939.

HON. R. E. SNEDDEN, *Prosecuting Attorney, Medina, Ohio.*

DEAR SIR: Your request for my opinion reads as follows:

“Request your interpretation of General Code Section 9887, the important part of which is as follows: In part G. C. Sec. 9887:

‘In counties wherein there is a county agricultural society * * * or where the title to such site is vested in fee in the county, the county commissioners, if they think it is for the best interest of the county, and society, may erect * * * or contribute to or pay any other form of indebtedness of said society. The commissioners are authorized to appropriate from the general fund such an amount as they deem necessary for any such purposes. Provided, however, that if the amount appropriated to be expended in the purchase