

This lease, which calls for an annual rental of \$270.00, is for a stated term of 15 years, with the right of renewal thereof for a like term of years upon an appraisalment to be determined by the proper state authority at the time of said renewal.

As you have been previously advised in former opinions of this office with respect to leases of this kind, the provision in this lease purporting to grant to the lessee therein named the right to renew said lease at the expiration of the 15 year term therein provided for is wholly ineffective for the reason that there is no statutory authority for a provision of this kind in said lease, and if The Quaker Oats Company accepts this lease, it will be one for a term of 15 years and no longer.

Other than the provision above noted with respect to the renewal of said lease, said lease and the terms and conditions thereof are in conformity with the provisions of Sections 13965 et seq. of the General Code and with other sections of the General Code relating to leases of this kind; said lease is accordingly hereby approved as to legality and form as is evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

2626.

APPROVAL, LEASE TO LILLIAN C. DAVIS, COLUMBUS, OHIO, FOR  
RIGHT TO USE FOR COTTAGE SITE AND LANDING PURPOSES,  
STATE LAND AT BUCKEYE LAKE.

COLUMBUS, OHIO, December 4, 1930.

HON. PERRY L. GREEN, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a recent communication from the Division of Conservation in your department, submitting for my examination and approval a certain reservoir land lease in triplicate, which is executed by the Conservation Commissioner on behalf of the State of Ohio and by which there is leased and demised to one Lillian C. Davis of Columbus, Ohio, the right to use and occupy for cottage site and landing purposes a certain parcel of state land at Buckeye Lake; the parcel of land so demised being the water front and land in the rear thereof on the southerly shore of Buckeye Lake, as shown by R. K. Schlefley's survey of said lake, that lies in front of Lot No. 2, of Clymer's Grandview Subdivision of land in the southwest quarter of Section 27, Town 17, Range 18, Fairfield County, Ohio.

This lease, which calls for an annual rental of \$6.00, is for a term of fifteen years and is granted subject to the conditions and restrictions usually found in leases of this kind.

Upon examining said lease, I find that the same has been properly executed in accordance with the authority conferred upon the Conservation Commissioner by the provisions of Section 471, General Code, as amended in the Conservation Act passed by the 88th General Assembly, and that the provisions thereof are in conformity with the provisions of said section and of other sections of the General Code relating to leases of this kind. Said lease is accordingly hereby approved by me as to legality and form, as is evidenced by my approval endorsed upon said lease, and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*