

Ohio. By this lease, which is one for a stated term of fifteen years and which provides for the payment of an annual rental of one hundred and eighty dollars, payable in semiannual installments, there is leased and demised to the lessee above named the right to occupy and use for general business and cottage site purposes that parcel of state reservoir property at Indian Lake located in Section 6, Town 7 South, Range 8 East, Washington Township, Logan County, Ohio, which parcel of reservoir land is more particularly described as follows:

Beginning at the point of intersection of the Robert's line and the southerly right-of-way line of State Highway No. 32; thence South 20° 30' east along said Robert's line, 75 feet, more or less, to the northerly bank of the Miami River (Wasteway run); thence in a southerly, westerly, and southwesterly direction along the said northerly bank of the Miami River to the easterly line of a lease granted to G. A. and Lottie Stephenson under date of July 21, 1924; thence North 21° 00' East with the east line of the said Stephenson lease, 380 feet, more or less, to the southerly right-of-way line of said State Highway No. 32; thence in an easterly direction along said southerly line of State Highway No. 32, 425 feet, more or less, to the place of beginning, and containing 3.2 acres, more or less.

Also, the use of the inner slope and water front of the reservoir embankment on the north side of State Route No. 32, for dock and landing purposes, commencing at a point, 75 feet east of the east line of the new bulkhead and extending easterly, 200 feet.

Upon examination of this lease, I find that the same has been properly executed by the Conservation Commissioner, on behalf of the State of Ohio, and by Howard H. Smith, the lessee named therein. Upon examination of the provisions of this lease and of the conditions and restrictions therein contained, I find the same to be in conformity with section 471, General Code, under the authority of which section 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 enclosed.

Respectfully,
 JOHN W. BRICKER,
Attorney General.

2618.

DISAPPROVAL—BONDS OF VILLAGE OF WESTERVILLE, FRANKLIN COUNTY, OHIO—\$16,500.00.

COLUMBUS, OHIO, May 4, 1934.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

Re: Bonds of Village of Westerville, Franklin County, O., \$16,500.00.

GENTLEMEN:—I have examined the transcript of the proceedings relating to the above bond issue. Resolution No. 324 authorizing the issue of these bonds,

which should be an ordinance, and which was adopted September 26, 1933, and the amending resolution No. 330, which likewise should be termed an ordinance rather than a resolution, adopted April 18, 1934, were each published but once, whereas section 4229, General Code, requires publication once a week for two consecutive weeks, and section 4233, General Code, makes this requirement mandatory. The later resolution was adopted as an emergency measure, and if properly adopted, would not have to be published. *Vansuck vs. State, ex rel.*, 112 O. S. 688. However, the reasons for the emergency were not set forth in one section thereof as required by section 4227-3, General Code, and for that reason the resolution could, in my opinion, be successfully attacked within thirty days after its adoption.

Resolution No. 330 was not read on three different days, nor were the rules suspended as required by section 4224, General Code. This section applies to emergency measures as well as to other measures. The requirement contained in this statute has been held to be mandatory and must be strictly followed. *Bloom vs. Xenia*, 32 O. S. 461; *Campbell vs. Cincinnati*, 49 O. S. 463; *Vinton vs. James*, 108 O. S. 220; *Costakic vs. Yorkville*, 109 O. S. 184.

For the foregoing reasons, I advise you not to purchase these bonds.

Respectfully,

JOHN W. BRICKER,

Attorney General.

2619.

APPROVAL—CONTRACT BETWEEN STATE OF OHIO AND THE DURKEE ELECTRIC COMPANY OF CLEVELAND, OHIO, FOR THE CONSTRUCTION AND COMPLETION OF ELECTRICAL WORK AT COTTAGE No. 5 HAWTHORNDEN FARM, CLEVELAND, AT AN EXPENDITURE OF \$3,738.00.

COLUMBUS, OHIO, May 5, 1934.

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 Department of Public Welfare (Hawthornden Farm, Cleveland State Hospital), Columbus, Ohio, and The Durkee Electric Company of Cleveland, Ohio. This contract covers the construction and completion of Electrical Work for a project known as Cottage No. 5, Hawthornden Farm, Cleveland State Hospital, Cleveland, Ohio, in accordance with Item No. 4 and Item No. 13 (Alt. E-1) of the form of proposal dated April 12, 1934. Said contract calls for an expenditure of three thousand seven hundred and thirty-eight dollars (\$3,738.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have produced evidence to show that the Controlling Board has released moneys sufficient to cover the cost of this contract, in accordance with section 3 of House Bill No. 698 of the regular session of the 90th General Assembly, as amended by section 3 of House Bill