

day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5649.

APPROVAL—CONTRACT FOR GENERAL WORK FOR PROJECT KNOWN AS COTTAGES A AND B, GIRLS' INDUSTRIAL SCHOOL, DELAWARE, OHIO, \$94,300.00, GLOBE INDEMNITY COMPANY OF NEW YORK, N. Y., SURETY—ROBERT W. SETTERLIN & SONS, COLUMBUS, OHIO, CONTRACTOR.

COLUMBUS, OHIO, May 28, 1936.

HON. CARL G. WAHL, *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, and Robert W. Setterlin & Sons, Columbus, Ohio. This contract covers the construction and completion of General Work for a project known as Cottages A and B, Girls' Industrial School, Delaware, Ohio, in accordance with Items Nos. 1 and 6 (Alt. G-2) of the Form of Proposal dated May 1, 1936. Said contract calls for an expenditure of ninety-four thousand three hundred dollars (\$94,300.00).

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 also submitted certificates of the Controlling Board showing that such board has released funds for this project in accordance with section 1 of House Bill No. 69 of the second special session of the 90th General Assembly, and section 1 of House Bill No. 504 of the regular session of the 91st General Assembly.

In addition, you have submitted a contract bond upon which the Globe Indemnity Company of New York, N. Y., 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 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,

JOHN W. BRICKER,
Attorney General.

5650.

COUNTY RECORDS—DUTY TO RECORD LEASE CONTAINING
MAP OR PLAT WHEN—FEES FOR RECORDING SUCH.

SYLLABUS:

1. *A county recorder is unauthorized to record a lease which contains a map or a plat describing the property in such lease by merely pasting the plat on the record.*

2. *It is the duty of the county recorder to charge the fees prescribed in Section 2779, General Code, for recording a map or plat describing the property in a lease.*

COLUMBUS, OHIO, May 29, 1936.

HON. PAUL SPRIGGS, *Prosecuting Attorney, Paulding, Ohio.*

DEAR SIR: This will acknowledge receipt of your request for my opinion which reads as follows:

“On numerous instances various parties have presented the Recorder oil and gas leases, containing plats showing the location of gas lines through the real estate described in said leases.

These parties have requested the Recorder to paste these plats on the record.

(1) Is the Recorder authorized by law to paste such plats on the record?

(2) In the event the plats are transcribed on the records in the Recorder’s Office, what fee should the Recorder charge for making the record of each plat?”

From your inquiry, I assume that the map or plat is a part of the lease and is necessary to show the proper location of the property in question. In other words, the lease in addition to being in the usual form of such conveyance, has a map or plat in the same instrument. Section 2757, General Code, provides that the recorder shall keep certain books and enumerates what should be recorded in these books. This section reads as follows: