

2356.

APPROVAL, THREE LEASES TO CANAL LAND IN COSHOCTON, TUSCARAWAS AND LICKING COUNTIES.

COLUMBUS, OHIO, September 17, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval three certain leases, in triplicate, executed by you as Superintendent of Public Works and as Director of said department, by which there are leased and demised to the respective lessees therein named, for terms of fifteen years each, and for an annual rental of 6% upon the appraised value of certain parcels of Ohio Canal Lands, which are particularly described in said respective leases. Said leases, listed with respect to the name of the lessee, the location of the parcels of land leased and the appraised value of such parcels of land, are as follows:

<i>Name</i>	<i>Location</i>	<i>Valuation</i>
Wilbert Watkins,	Oxford Township, Coshocton County-----	400 00
Mrs. Dorothy App,	Lawrence Township, Tuscarawas County-----	100 00
Fred V. Oldaker,	Hebron, Licking County-----	1,000 00

Upon examination of said leases, I find that the same have been properly executed and that said leases as to the form and terms thereof are in conformity with the provisions of Sections 13965 et seq. and of other sections of the General Code of Ohio. Said leases are accordingly approved as to legality and form, as is evidenced by my approval endorsed on said leases and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,
 GILBERT BETTMAN,
Attorney General.

2357.

APPROVAL, FOUR LEASES TO CANAL LANDS IN DEFIANCE, MONTGOMERY, MIAMI AND VAN WERT COUNTIES.

COLUMBUS, OHIO, September 17, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval four certain leases in triplicate executed by you, as Superintendent of Public Works and as Director of said Department, by which there are leased and demised to the several lessees therein named, parcels of abandoned Miami and Erie Canal Lands, which parcels are particularly described in said respective leases. The leases here in question, which are each for a term of fifteen years and provide for the payment of an annual rental of 6% upon the appraised value of the several parcels of land therein leased and demised, are listed as follows:

<i>Name</i>	<i>Location</i>	<i>Valuation</i>
D. B. Gahris,	Defiance-----	\$200 00
Robert H. Wood,	Miami Township, Montgomery County-----	600 00
John R. Wood,	Concord Township, Miami County-----	300 00
Albert R. Rupert,	Delphos-----	833 34

Upon examining said leases, I find that the same have been properly executed, and that as to the form and provisions of said leases, they conform to the provisions of Sections 13965 et seq. and of other sections of the General Code relating to leases of this kind. Said leases are accordingly hereby approved as to legality and form, as is evidenced by my authorized signature on said leases and on the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2358.

RESIDENCE—COUNTY SCHOOL DISTRICT—BOARD MEMBERS THERE—
OF MUST RESIDE IN TERRITORY COMPOSING SUCH DISTRICT—
NECESSARY FOR MEMBERS OF BOARD TO ESTABLISH THEIR RES—
IDENCE IN JURISDICTIONAL TERRITORY WITHIN REASONABLE
TIME—VACANCIES—HOW FILLED.

SYLLABUS:

1. *Members of a county board of education residing in a district which by virtue of the action of the board of education of that district becomes exempt from the jurisdiction of the county board of education do not thereafter reside in any part of the territory composing the county school district. Such members may continue to serve as members of the county board of education if they establish their residences in territory composing the county school district within a reasonable time thereafter.*

2. *If such members do not establish a residence in this territory composing the county school district within a reasonable time, vacancies are thereby created in the county board of education.*

3. *Vacancies in a county board of education shall be filled by a majority vote of the remaining members of said board.*

COLUMBUS, OHIO, September 18, 1930.

HON. W. W. BADGER, *Prosecuting Attorney, Millersburg, Ohio.*

DEAR SIR:—This will acknowledge a request for my opinion, written during your absence and signed by your partner, as follows:

“The three members of our county board of education live in Millersburg, Ohio, which is located in Hardy Township. These were elected last November and took office in January, 1930, and in May, 1930, the Millersburg Hardy Village District decided to withdraw from the county school district and no longer be under the control of the county board of education and the county superintendent of schools.

How long do the three members of the county board that have so withdrawn continue to act as such, until the expiration of their term for the county outside of this township or were they put out of office by the withdrawal of the local district? If they were put out of office, have the remaining two members of the county board the right to fill these vacancies?

I think I have made it clear that these three members of the county board of education live in Millersburg, Ohio, and Millersburg village and Hardy Township are no longer a part of the county school district.”