

2007.

## APPROVAL, TWO LEASES TO LAND ADJACENT TO AND FRONTING UPON THE WATERS OF BUCKEYE LAKE, IN FAIRFIELD COUNTY, OHIO.

COLUMBUS, OHIO, June 21, 1930.

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

DEAR SIR:—You have submitted for my approval, among other Reservoir Land Leases, two certain leases, in triplicate, executed by the Conservation Commissioner by which there are leased and demised to Russell T. Wenger of Columbus, Ohio, and to B. F. Achauer of Glouster, Ohio, respectively, two certain parcels of land adjacent to and fronting upon the waters of Buckeye Lake in Fairfield County, Ohio.

In both of said leases the parcels of Reservoir land therein leased are to be used for cottage site and landing purposes, and each of said leases are for a term of fifteen years, for an annual rental of \$21.00, the same being 6% upon the sum of \$350.00, the appraised valuation of each of said parcels of land.

The leases here in question and the provisions therein contained are in conformity with Section 471, General Code, as amended by the Conservation Act and other sections of the General Code relating to leases of this kind. Said leases and each of them are accordingly hereby approved as to their legality and form, as is evidenced by my authorized signature upon said leases and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

2008.

## DISAPPROVAL, TWO LEASES TO CERTAIN PARCELS OF LAND AT LAKE LORAMIE IN SHELBY COUNTY, OHIO.

COLUMBUS, OHIO, June 21, 1930.

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

DEAR SIR:—This is to acknowledge the receipt of your recent communication submitting for my examination and approval a number of reservoir land leases executed on behalf of the State of Ohio by Hon. J. W. Thompson who, as Conservation Commissioner, is one of the officers in your department. Among the reservoir land leases so executed are two certain leases by which there are leased and demised to Edward Dickmeier and Albin Martin respectively, both of Cincinnati, Ohio, two certain parcels of land at Lake Loramie in Shelby County, Ohio.

Apparently the leases here in question were executed by the Conservation Commissioner under the assumed authority of Section 471 of the General Code, as amended by the Conservation Act (113 O. L. 551), which section in terms authorizes said officer to lease lands, including marginal strips and marsh lands around the lakes therein named, as well as the outer slopes of artificial embankments, islands, borrow pits and state lands adjacent to such lakes. However, Lake Loramie is not one of the lakes named in this section of the General Code, and inasmuch as the Conservation Act contains no other provisions authorizing the Conservation Commissioner as such to execute leases for state lands, it must be concluded that said officer had no authority