

2538.

APPROVAL, BONDS OF VILLAGE OF DENNISON, TUSCARAWAS COUNTY, OHIO—\$2,750.00.

COLUMBUS, OHIO, April 20, 1934.

Industrial Commission of Ohio, Columbus, Ohio.

2539.

APPROVAL, BONDS OF VILLAGE OF DENNISON, TUSCARAWAS COUNTY, OHIO—\$2,000.00.

COLUMBUS, OHIO, April 20, 1934.

Industrial Commission of Ohio, Columbus, Ohio.

2540.

APPROVAL—DEED EXECUTED BY THE MAYOR AND DIRECTOR OF PUBLIC SERVICE OF TOLEDO CONVEYING A CERTAIN TRACT OF LAND IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO.

COLUMBUS, OHIO, April 20, 1934.

HON. F. D. HENDERSON, *Adjutant General, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of your recent communication submitting for my examination and approval a certain deed executed by the hand of its Mayor and Director of Public Service, by which there is conveyed to the State of Ohio for naval armory purposes a certain tract of land which I am advised is located in the City of Toledo, Lucas County, Ohio, and which is particularly described in the deed as follows:

Beginning at a point on the established harbor line of Maumee River, said point being 50' 0" from and on a line bearing S 43°-24'-6" E. from Manhattan Front Range Light Triangulation Station, said triangulation station being located 146,501.1' North of and 135,984.7' E. of the zero coordinate; thence along said harbor line N. 42°-40'-11" E.—110.78'; thence N. 48°-20'-49" W.—81.18'; thence N. 63°-44'-49" W. 269.14'; thence N. 86°-57'-49" W. 132.95'; thence S. 50°-9'-11" W. 288.07'; thence S. 6°-17'-41" W. 251.78'; thence southwesterly to the southerly corner of the Toledo Yacht Club Lease; thence southwesterly to a point 146,180.25' North and 135,270.92' East of the zero coordinates; thence S. 43°-8'-40" E.—307.25' to the established harbor line of the Maumee River; thence along said harbor line N. 46°-35'-54" E. 743.23' to the point of beginning, excepting

that part of the above described property which is occupied by the United States Government.

The above described property being part of the L. Guion Tract, situated in T 9 S-R 8 E, Lucas County, Ohio.

This deed, which has been executed on behalf of the City of Toledo by the officers thereof above named, has been so executed pursuant to an ordinance of the Council of said City passed February 19, 1934, and amended March 5, 1934. The deed here in question has apparently been executed in the manner required by law with respect to deeds of this kind, and the form of the deed is such as to convey the above described property to the State for the purpose above indicated. In this connection, it is noted that the deed recites that the conveyance is in consideration of one dollar and other valuable considerations paid to the City of Toledo by the State of Ohio. As to this, it may perhaps be assumed that the conveyance of this property to the State of Ohio is in substance and effect a donation, and that whatever valuable consideration accrued to the City by reason of the conveyance of this property and the use of the property by the State in the construction of this armory building, will be such collateral benefits as will naturally occur by reason of the construction and maintenance of a building of this kind. In this situation and by reason of the provisions of section 3631, General Code, authorizing a municipal corporation to deed real property to the State for armory purposes, and of those of section 5237, General Code, authorizing the Adjutant General to accept on behalf of the State property deeded for this purpose, I am of the opinion that this deed is in all respects valid, and that under the same the State will acquire whatever title the City of Toledo now has in and to the property conveyed by this deed.

In this connection, it is noted that no abstract or certificate of title has been submitted with this deed and for this reason I do not in this opinion pass upon the question of the title of the City of Toledo to the property conveyed. I am herewith enclosing the deed above referred to, as well as a copy of the ordinance of the Council of the City of Toledo authorizing the execution of the same.

Respectfully,

JOHN W. BRICKER,
Attorney General.

2541.

APPROVAL—RESERVOIR LAND LEASE TO THE HOME BANKING COMPANY OF ST. MARYS, OHIO, FOR THE RIGHT TO OCCUPY AND USE FOR COTTAGE SITE AND DOCKLANDING PURPOSES SMALL ISLAND IN AUGLAIZE COUNTY.

COLUMBUS, OHIO, April 20, 1934.

HON. EARL H. HANEFELD, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—The Chief of the Bureau of Inland Lakes and Parks of the Division of Conservation in your Department has submitted for my exam-