

658.

APPROVAL, LEASE TO LAND AT TURKEY FOOT LAKE, SUMMIT
COUNTY, OHIO.

COLUMBUS, OHIO, July 24, 1929.

DEAR SIR:—This is to acknowledge your recent communication submitting for my examination and approval a certain lease executed in triplicate whereby the State of Ohio, through you, as Superintendent of Public Works, has leased and demised to one E. H. Wiener, of Akron, Ohio, a certain parcel of State Reservoir Land lying immediately in front of Lot No. 25 of J. M. Thornton's Turkey Foot Allotment at Turkey Foot Lake, in Franklin Township, Summit County, Ohio. This lease is for a term of fifteen years and calls for the payment of an annual rental of six per cent upon the sum of two hundred dollars, which is the appraised value of said parcel.

An examination of said lease shows that the same is within the authority granted you by Section 471, General Code, and that said lease has been executed in substantial compliance with said section and other related sections of the General Code applicable to leases of this kind.

No reason appearing why this department should not approve this lease, the same is hereby approved and my approval is endorsed upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,
GILBERT BETTMAN,
Attorney General.

659.

APPROVAL, LEASE FOR MAINTENANCE OF WATER MAIN ON LAND
AT INDIAN LAKE.

COLUMBUS, OHIO, July 24, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You recently submitted for my examination and approval a certain lease, in triplicate, executed by the State of Ohio, through you, as Superintendent of Public Works, leasing and demising to one Charles R. Folsom, for a term of fifteen years, the right to lease and maintain a water main with all necessary laterals and service lines in and upon the following state reservoir lands at Indian Lake, to-wit:

“Beginning at ‘The Bend,’ near the southeast corner of the northeast quarter of the northeast quarter of Section 35, Town 6 South, Range 8 East, Logan County, Ohio, and running thence southeasterly along the State Highway No. 32, to the easterly line of the state property east of the harbor at Russell's Point; also over and through the streets and alleys as laid out on state property on either side of said State Highway No. 32, including the lands south of the T. & O. C. Railroad, commonly known as ‘Bristol Park;’ also over and through that part of the road known as ‘Orchard Island Road’ and such streets and driveways as may be established on Fox Island.”

The purpose of this lease apparently does not bring the same within the authority

conferred upon you by Section 13970, General Code, which section seems to be limited to the matter of leases in and upon state canal and reservoir property granting the right to lay down pipe lines for oil and gas purposes. However, it is thought that authority to grant the lease in question is within the authority granted to you by Section 471, General Code, which provides that the lands in and around Indian Lake and the other lakes therein mentioned, may be leased without any express limitation as to the purpose for which the lease may be granted.

The lease here in question seems to be otherwise in proper form, and inasmuch as no reason is apparent why said lease should not be approved by this department, the same is hereby approved as evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,
GILBERT BETTMAN,
Attorney General.

660.

APPROVAL, LEASE FOR OIL AND GAS PURPOSES, OHIO CANAL LAND
IN SUMMIT COUNTY, OHIO.

COLUMBUS, OHIO, July 24, 1929.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your recent communication submitting to this department for approval a certain lease, in triplicate, whereby you as Superintendent of Public Works and as director of said department have leased and demised to one H. Cope of Columbus, Ohio, for the term of ten years, the right to enter upon, occupy and use for the purpose of drilling thereon for the production of oil and gas that portion of the Ohio canal property in Franklin, Norton and Coventry Townships, Summit County, Ohio, including reservoir lands and lands adjacent thereto, but excepting therefrom the reservoir property known as Summit Lake, as shown by the plats of the Portage Lakes. The rentals reserved and provided for in said lease are the sum of \$300.00 as advance payment to the State of Ohio, and a royalty of one-eighth ($\frac{1}{8}$) of the output of the oil and gas produced by wells drilled by the lessee under the provisions of said lease, said royalty to be commuted into money and paid to the State by the lessee at the purchase price of said royalty.

I have carefully examined the provisions of said lease and find that the execution of the same is within the authority expressly conferred by the provisions of Section 13970, General Code, and the subsequent statutory provisions, conferring upon the Superintendent of Public Works the power and authority granted to the canal commission with respect to leases of this kind.

An examination of this lease likewise shows that the rights of the State have been carefully guarded so as to protect the rights and interests of the state with respect to the places where wells for the development of oil and gas are to be drilled and with respect to other matters of this kind.

No reason is apparent why this lease should not be approved by this department and the same is accordingly hereby approved as is evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,
GILBERT BETTMAN,
Attorney General.