

tions 2 and 3, the owners and lienholders seeking to take advantage of the Act, after lands have been entered on the foreclosure list, must pay the costs incurred in the foreclosure proceedings.

In conclusion and specifically answering your request, it is my opinion that a landowner or lienholder may take advantage of Amended Senate Bill No. 3 of the 93rd General Assembly, after foreclosure proceedings have been instituted against such lands, at any time prior to the date of sale, by paying the costs incurred in the foreclosure proceedings and either paying the taxes, assessments, penalties, interest and other charges, as provided in section 2 of the Act, or entering into the undertaking provided for in section 3 of the Act.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

897.

LEASE—OFFICE SPACE, STATE WITH THE UNITED BUILDING OF AKRON, OHIO, ROOMS 805 TO 809, UNITED BUILDING, AKRON, USE, INDUSTRIAL COMMISSION OF OHIO.

COLUMBUS, OHIO, July 19, 1939.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval a certain lease executed by The United Building of Akron, Ohio, in and by which there are leased and demised to the State of Ohio, acting through you as Director of the Department of Public Works, certain premises for the use of the Industrial Commission of Ohio.

By this lease, which is one for a term of eighteen months commencing on the 1st day of July, 1939, and ending on the 31st day of December, 1940, and which provides for an annual rental of \$2700.00, payable in monthly installments of \$225.00 each, there are leased and demised to the State for the use of the Industrial Commission Rooms Nos. 805-806-807-808-809 of the United Building, located on Lots Nos. King Blk. 6—lot 1, all; King Blk. 6—lot 28-1-½ ft. situated in the City of Akron, Ohio.

This lease has been properly executed by The United Building of Akron, Inc., the lessor, by the hand of one Theodore D. Helmkamp, Vice-President, by authority of the resolutions of the Board of Directors. I likewise find that this lease and the provisions thereof are in proper legal form.

This lease is accompanied by contract encumbrance record No. 109 which has been executed in proper form and which shows that there are

unencumbered balances in the appropriation account sufficient in amount to pay the rental under this lease for the months of July, August and September, 1939. This is a sufficient compliance with the provisions of section 2288-2, General Code of Ohio. This lease is accordingly approved by me and the same is herewith returned to you.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

898.

BUREAU OF INSPECTION AND SUPERVISION OF PUBLIC OFFICES—EXAMINERS—WITHIN CLASSIFIED SERVICE, STATE OF OHIO—CIVIL SERVICE—APPOINTMENT MUST CONFORM TO LAWS GOVERNING CLASSIFIED SERVICE.

SYLLABUS:

Examiners in the Bureau of Inspection and Supervision of Public Offices are within the classified civil service of the state of Ohio and must, therefore, be appointed in conformity with the laws governing the classified civil service of the state of Ohio.

COLUMBUS, OHIO, July 19, 1939.

HONORABLE JOSEPH T. FERGUSON, *Auditor of State, Columbus, Ohio.*

DEAR SIR: Your request for an opinion relative to the status of state examiners in the Bureau of Inspection and Supervision of Public Offices, which has been previously acknowledged, puts before me the question of the meaning of the following words in Section 276 of the General Code: "The chief inspector and supervisor shall determine the grade of each examiner and assistant state examiner," and more particularly your right to appoint and classify such examiners in a manner which would constitute an exception to appointment of employes under the classified civil service.

Though not directly stated in your letter, your position appears to be taken on the following bases: (1) the duties of such examiners are such that they become "deputies" under Section 486-8(a), clause 9, of the General Code and consequently are not within the classified civil service; (2) the words of Section 276, above quoted, operate to remove the positions concerned from the classified civil service.

Section 276, General Code, in so far as is pertinent, reads as follows:

"The chief inspector and supervisor shall appoint such assistants as he deems necessary, who shall be known as state