

3699.

APPROVAL, LEASE FOR RIGHT TO USE FOR AGRICULTURAL PURPOSES, PORTION OF WALHONDING CANAL IN BETHLEHEM TOWNSHIP, COSHOCTON COUNTY, OHIO—BESSIE C. WALKER.

COLUMBUS, OHIO, October 26, 1931.

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

DEAR SIR:—This is to acknowledge receipt of your recent communication submitting for my examination and approval a certain canal land lease in triplicate executed by you in your official capacity to one Bessie C. Walker, of Warsaw, Ohio, by which there is leased and demised to the above named lessee, for a term of fifteen years, the right to use and occupy for agricultural purposes that portion of the Walhonding Canal including the full width of the bed and embankments thereof, which is located in Bethlehem Township, Coshocton County, Ohio, and which parcel of land is more particularly described as follows:

“Beginning at a line drawn through Station 885+56, of the Olney Survey of said canal property, said line being between the lands formerly owned by Mathew Crawford and Benjamin Bantham, and running easterly and southerly with the lines of said canal property to the line between the lands now owned by the heirs of Mathew Crawford, and the lands of G. J. McKee, and containing two (2) acres, more or less.”

Upon examination of said lease, I find the same has been properly executed by you and by the lessee above named; and that the terms and provisions of said lease are in conformity with provisions of Amended Substitute Senate Bill No. 72, enacted by the 89th General Assembly, and with other statutory provisions relating to canal land leases. Said lease is accordingly approved by me as to legality and form as is evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

3700.

APPROVAL, LEASE FOR RIGHT TO USE FOR RESIDENCE PURPOSES, OHIO CANAL LANDS IN THE VILLAGE OF NEWCOMERSTOWN, TUSCARAWAS COUNTY, OHIO—CHARLES SCHNEIDER.

COLUMBUS, OHIO, October 26, 1931.

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

DEAR SIR:—You have submitted for my examination and approval a certain canal land lease in triplicate executed by you, as superintendent of public works and as director of said department, by which there is leased and demised to one Charles Schneider of Newcomerstown, Ohio, for a term of fifteen years, the

right to use and occupy for residence purposes that portion of the abandoned Ohio Canal lands located in the village of Newcomerstown, Tuscarawas County, Ohio, and described as follows:

"Beginning at a point in the northerly line of said canal property that is one hundred (100') feet southwesterly, as measured along said northerly line, from the point of interesection of the westerly line of River Street, and the said northerly line of said canal property, and being the northwesterly corner of a lease granted to the grantee herein under date of September 20th, 1918, and running thence westerly with said northerly line ten (10') feet, more or less, to the westerly line produced across said canal property of the lands now owned by the grantee herein, and being the westerly line of Lot 420, in said Village of New Comerstown; thence southerly with said westerly line of said Lot 420, produced twenty-seven (27') feet, more or less, to the top water line of said canal; thence easterly with said top water line ten (10') feet, more or less, to the southwesterly corner of said lease granted to the said grantee herein under date of September 20th, 1918, thence north-erly with the westerly line of said lease twenty-seven (27') feet, more or less, to the place of beginning and containing two hundred and seventy (270) square feet, more or less."

Upon examination of said lease, which is one calling for an annual rental of six dollars (\$6.00) per year, payable semi-annually, I find that the same has been properly executed by you and by the above named lessee.

Upon consideration of the terms and provisions of said lease, including the conditions and restrictions therein contained, and upon a consideration of a number of extraneous facts relating to said lease and to the right of said lessee to have and take the same, I am of the opinion that the lease here in question is in conformity with the provisions of Amended Substitute Senate Bill No. 72, passed by the 89th General Assembly, providing for the abandonment for canal purposes of that portion of the Ohio Canal and lateral canals and canal feeders connected therewith, lying within Tuscarawas, Coshocton and Muskingum Counties, Ohio, and that the provisions of said lease are likewise in conformity with other statutory provisions relating to leases of this kind.

Said lease is accordingly approved by me as to legality and form as is evidenced by my endorsement of approval upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*