

a partnership doing business at that place, the right to insert into the level of Indian Lake at Russells Point or at such other point in the lake as may be approved by the Superintendent of Public Works a four-inch pipe for the purpose of pumping the water from the lake and delivering the same to the filtration plant owned by said lessees and used by them in connection with the operation of a swimming pool at or near Russells Point.

This lease, which is one for a term of fifteen years and which provides for the payment of an annual rental of \$12.00 for the use of the water for the purposes above stated, is executed by you under the authority of Section 14009, General Code.

The lease has been properly executed by you as Superintendent of Public Works and by S. L. Wilgus and Lena Montgomery, the lessees above named, and inasmuch as the lease seems to be in conformity with the statutory provisions relating to leases of this kind, I am hereby approving the lease as to legality and form, as is evidenced by my approval endorsed thereon and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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5962.

APPROVAL—CANAL LAND LEASE FOR RIGHT TO OCCUPY  
AND USE FOR GARAGE PURPOSES, ETC., IN VILLAGE  
OF GROVEPORT, FRANKLIN COUNTY, OHIO—C. A.  
RAGER, GROVEPORT, OHIO.

COLUMBUS, OHIO, August 15, 1936.

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

DEAR SIR: This is to acknowledge the receipt of your communication of recent date with which you submit for my examination and approval a canal land lease in triplicate which is executed by you as Superintendent of Public Works to C. A. Rager of Groveport, Ohio.

This lease is one for a term of fifteen years, provides for an annual rental of \$60.00 and by its terms leases and demises to the lessee above named the right to occupy and use for garage and other business purposes a parcel of the abandoned Ohio Canal lands in the village of Grove-

port, Franklin County, Ohio, which is more particularly described as follows:

Commencing at a point in the original top water line of the Ohio Canal where the same is intersected by the southerly line of Main Street in said village and running thence southwesterly parallel to and fifteen (15') feet distant from the northwesterly line of the state canal property as shown by Alfred Albright's survey of the Ohio Canal property through the Village of Groveport, made under the direction of the State Board of Public Works in the summer of 1912, a distance of one hundred ten (110') feet, thence southeasterly at right angles, seventy (70') feet, more or less, to the southeasterly line of the State Canal property; thence northeasterly along the southerly line of the state canal property, a distance of one hundred eighty (180') feet, more or less, to the southerly line of Main Street produced; thence westerly along the southerly line of Main Street produced, one hundred (100') feet, more or less, to the point of commencement, excepting and reserving therefrom, any portion of the same that is now occupied by the buildings located upon the northerly side of the state canal property.

The parcel of land covered by this lease is a part of the main line of the Ohio Canal from Buckeye Lake to the city of Portsmouth, Ohio, which was abandoned for canal purposes by an act of the 79th General Assembly under date of June 7, 1911, 102 O. L., 293. Under Section 3 of this act, read in connection with the provisions of Section 464, General Code, the Superintendent of Public Works is authorized to appraise and lease or sell, as he may deem for the best interest of the state, subject to the approval of the Governor and the Attorney General, canal lands abandoned by said act, in strict conformity with the various provisions of the statutes of Ohio relating to the leasing and selling of state canal lands, provided that leases of such lands shall be for a term of not less than fifteen years nor more than twenty-five years and provided further that the bed and banks of such abandoned canal property may be included in any lease of such lands.

Upon an examination of this lease, I find the same to be in conformity with said act and with Sections 13965, et seq., and other statutory enactments relating to leases of this kind.

It appearing further that this lease has been properly executed by you as Superintendent of Public Works and by C. A. Rager, the lessee therein named, the lease is accordingly approved by me as to legality and form, as is evidenced by my approval endorsed upon the lease and upon

the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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5963.

APPROVAL—CANAL LAND LEASE TO LAND IN TUSCARAWAS TOWNSHIP, COSHOCTON, OHIO—OHIO POWER COMPANY, NEWARK, OHIO.

COLUMBUS, OHIO, August 15, 1936.

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

DEAR SIR: By recent communication, the receipt of which is hereby acknowledged, you have submitted for my examination and approval a canal land lease in triplicate executed by you as Superintendent of Public Works to The Ohio Power Company of Newark, Ohio.

By this lease, which is one for a term of fifteen years and which provides for an annual rental of \$25.50, there is leased and demised to the lessee above named the right to erect and maintain on the abandoned Ohio Canal property in Tuscarawas Township, Coshocton County, Ohio, one high-tension pole line consisting of fourteen poles and three anchors with necessary cross-arms, wire and other incidentals pertaining thereto, which property is more particularly described in said lease and which aggregates 3170 feet, more or less.

This lease is one executed by you under the authority conferred upon you as Superintendent of Public Works by Amended Substitute Senate Bill No. 72 enacted by the 89th General Assembly, 114 O. L., 541. Assuming, as I do, that no application was made for the lease of this Ohio Canal land by any person or corporation having prior rights with respect to the lease of this property, I find that the provisions of this lease are in conformity with said act and with other statutory provisions relating to leases of this kind.

An examination of the lease shows that the same has been properly executed by you as Superintendent of Public Works and by The Ohio Power Company, the lessee above named, by the hands of its Vice President and Secretary pursuant to the authority of a resolution of the Board of Directors of said company. I am, accordingly, approving the lease as to legality and form, as is evidenced by my approval endorsed upon the