

5613.

## APPROVAL—CANAL LAND LEASE TO LAND IN NEWCOMERSTOWN, TUSCARAWAS COUNTY, OHIO—CHARLES E. LEISER, NEWCOMERSTOWN, OHIO.

COLUMBUS, OHIO, May 26, 1936.

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

DEAR SIR: This is to acknowledge the receipt of your recent communication with which you submit for my examination and approval a canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said Department, acting for the state of Ohio, to one Charles E. Leiser of Newcomerstown, Ohio. By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$15.00 payable in semiannual installments of \$7.50 each, there is leased and demised to the lessee above named the right to occupy and use for building purposes that portion of the berme embankment of the abandoned Ohio Canal property, located in the village of Newcomerstown, Tuscarawas County, Ohio, and described as follows:

Beginning at the point of intersection of the northerly line of said canal property and the westerly line of River Street in said village, said point of intersection being seventy-five and five-tenths (75.5') feet south of the southwest corner of River and Basin Streets in said village as measured along the westerly line of River Street, and running thence westerly with the said northerly line fifty-four (54') feet, more or less, to a point in said northerly line that is fifty (50') feet westerly from the west line of River Street, as measured at right angles thereto, thence southerly, parallel with River Street, thirty-four (34') feet, more or less, to the top water line of said abandoned canal; thence northeasterly with said top water line fifty-four (54') feet, more or less, to the west line of River Street; thence northerly with the west line of River Street, thirty-four and five-tenths (34.5') feet, to the place of beginning, reserving therefrom a driveway twelve (12') feet wide off of the southerly side of the above described tract of canal land for the use of the state and its lessees and containing, exclusive of said reservation, seventeen hundred twenty-five (1725) square feet, more or less.

This lease is one executed by you under the authority of Amended

Substitute Senate Bill No. 72, 114 O. L., 541, which was enacted by the 89th General Assembly under date of April 29, 1931, and which went into effect on the 6th day of August, 1931. Assuming that no part of the above described parcel of land has been designated by the Director of Highways as land necessary for highway purposes as provided for in section 6 of said act (Section 14203-95, G. C.) and assuming further that no application for the lease of this parcel of land or of any part thereof has been made by the village of Newcomerstown or by any other person or corporation entitled to priority with respect to the lease of this property, under the provisions of section 8 of said act (Section 14203-97, G. C.), I am of the opinion that you were authorized to execute this lease for the term and for the rental therein provided for, under the provisions of paragraph 5 of the section of the act last above referred to.

Upon examination of the lease, I find that the same has been properly executed by you as Superintendent of Public Works and as Director of said Department, acting for the state of Ohio, and by Charles E. Leiser, the lessee therein named. I further find that the provisions of this lease and the conditions and restrictions therein contained are in conformity with the act of the legislature above referred to and with other statutory provisions relating to leases of this kind. I am accordingly approving this lease 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 enclosed.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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5614.

APPROVAL—BONDS OF CITY OF CANTON, STARK COUNTY,  
OHIO, \$13,000.00.

COLUMBUS, OHIO, May 26, 1936.

*The Industrial Commission of Ohio, Columbus, Ohio.*

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5615.

APPROVAL—BONDS OF CUYAHOGA COUNTY, OHIO,  
\$10,000.00.

COLUMBUS, OHIO, May 26, 1936.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*