

tion 13 of this act (sec. 14178-39, 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 section 19 of the act (sec. 14178-45, G. C.).

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 C. L. Armstrong, 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.

5598.

APPROVAL—CANAL LAND LEASE TO LAND IN CONCORD TOWNSHIP, MIAMI COUNTY, OHIO—JOSEPH R. CROMES, TIPPECANOE CITY, OHIO.

COLUMBUS, OHIO, May 25, 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 Joseph R. Cromes of Tippecanoe City, 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 agricultural and cottage purposes, that portion of the abandoned Miami and Erie Canal property, including the full width of the bed and banks thereof, located in Concord Township, Miami County, Ohio, and described as follows:

Beginning at a line drawn at right angles to the transit line of the H. E. Whitlock survey of said canal property through

Station 8168+20, and being the south line of a lease granted to J. W. Norris, under date of March 29, 1926; and running thence southerly with the lines of said canal property five hundred (500') feet, to a line drawn at right angles to said transit line through station 8173+20, and containing 45,500 square feet (1 acre), more or less.

This lease is one executed by you under the authority of Amended Substitute Senate Bill No. 194, 114 O. L., 546, 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 (sec. 14178-32, G. C.) and assuming further that no application for the lease of this parcel of land or of any part thereof for park purposes has been made by any municipal corporation, other political subdivision or municipal park board under the provisions of section 13 of this act (sec. 14178-39, 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 section 19 of the act (sec. 14178-45, G. C.).

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 Joseph R. Cromes, 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.

5599.

APPROVAL—BONDS OF CITY OF TOLEDO, LUCAS COUNTY,
OHIO, \$20,000.00.

COLUMBUS, OHIO, May 25, 1936.

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