

3015.

APPROVAL—LEASE, CANAL LANDS, DEPARTMENT OF PUBLIC WORKS WITH ADREN SMITH OF FRESNO, OHIO, TERM OF FIFTEEN YEARS, ANNUAL RENTAL \$6.00, PORTION OHIO AND ERIE CANAL, LAFAYETTE TOWNSHIP, COSHOCTON COUNTY, OHIO, FOR COTTAGE SITE AND AGRICULTURAL PURPOSES.

COLUMBUS, OHIO, September 27, 1938.

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

DEAR SIR: You recently submitted for my examination and approval a canal land lease executed by you as Superintendent of Public Works and as Director of said department to one Adren Smith of Fresno, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$6.00, there is leased and demised to the lessee above named the right to occupy and use for cottage site and agricultural purposes that portion of the Ohio and Erie Canal property, including the full width of the bed and banks thereof, located in Lafayette Township, Coshocton County, Ohio, and described as follows:

Beginning at a line drawn at right angles to the transit line of G. F. Silliman's survey through Station 3239+00 and running thence westerly with the lines of said canal property, one hundred (100') feet to a line drawn at right angles through Station 3240+00 and containing ten thousand nine hundred (10,900) square feet, more or less, excepting therefrom any portion of the above described property that may be occupied by a Public Highway.

Upon examination of this lease, which is executed by you under the authority of an Act of the 89th General Assembly enacted April 29, 1931, 114 O. L., 541, I find that the same has been executed by you in your official capacity above stated and by Adren Smith in the manner provided by law.

Assuming, as I do, that this property has not been designated for state highway purposes and that no application for the lease of the same has been made by any of the corporations or persons having prior rights to the lease of this property under Section 8 of said Act, I find that the terms and provisions of this lease and the conditions and restrictions therein contained are in conformity with the above mentioned Act of the

legislature and with other related statutes. I am, therefore, approving this lease, 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,

HERBERT S. DUFFY,  
*Attorney General.*

3016.

APPROVAL—LEASE, CANAL LANDS, DEPARTMENT OF PUBLIC WORKS WITH BOARD OF EDUCATION OF DEFIANCE CITY SCHOOL DISTRICT, DEFIANCE, DEFIANCE COUNTY, OHIO, NINETY-NINE YEARS, PORTION MIAMI AND ERIE CANAL, LOCATED IN DEFIANCE, TO OCCUPY AND USE FOR ELEMENTARY SCHOOL BUILDING.

COLUMBUS, OHIO, September 27, 1938.

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

DEAR SIR: You have submitted for my examination and approval a canal land lease in triplicate executed by you as Superintendent of Public Works on behalf of the State of Ohio to the Board of Education of Defiance City School District, Defiance, Defiance County, Ohio.

This lease, which is one for a term of ninety-nine years, renewable forever, and which provides for an annual rental of \$36.00 during the first fifteen-year period of the term of the lease with a provision for reappraisal of the property leased at the end of each fifteen-year period of said term for the purpose of determining the annual rental to be paid during each succeeding fifteen-year period of said term, there is leased and demised to the lessee above named the right to occupy and use for elementary school building, athletic field and playground purposes that portion of the abandoned Miami and Erie Canal property, including the full width of the bed and banks thereof, located in the City of Defiance, Defiance County, Ohio, and described as follows:

Beginning at the point of intersection of the northeasterly line of said canal property and the northerly line of Thurston Street in said city, said northerly line of Thurston Street crossing the transit line of the S. A. Buchanan Survey at Station 2959+13, and running thence northeasterly with the said northeasterly line five hundred thirty-five (535') feet, more or less,