5671.

APPROVAL — LEASE TO M & E CANAL LAND AT TROY, MIAMI COUNTY, OHIO—HOBART BROTHERS COMPANY, TROY, OHIO.

COLUMBUS, OHIO, June 2, 1936.

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

DEAR SIR: You have submitted for my examination and approval a lease executed by you as Superintendent of Public Works and as Director of this Department, acting on behalf of the state of Ohio, to The Hobart Brothers Company, of Troy, Ohio. This lease is one for a stated term of fifteen years and by its provisions there is leased and demised to the lessee above named certain parcels of abandoned Miami and Erie Canal property located in the city of Troy, Miami County, Ohio, as described in said lease, which are to be used for agricultural purposes only.

The parcels of land covered by this lease are a part of Miami and Erie Canal lands abandoned for canal purposes by an act of the 89th General Assembly, enacted in 1931, 114 O. L., 546. This act, read in connection with Section 464, General Code, authorizes you as Superintendent of Public Works to execute this lease which I find to be in conformity with the provisions of said act and with other related statutory provisions.

The lease provides for the payment of an annual rental of $60.00, which is six percent of the appraised value of the property covered by the lease and which is in conformity with this and other laws relating to the execution of canal land leases.

The lease has been properly executed by you as Superintendent of Public Works and as Director of this Department, acting for and on behalf of the state of Ohio, and by the lessee, The Hobart Brothers Company, by its President, E. A. Hobart, thereto duly authorized by resolution July 22, 1935, of its Board of Directors, a copy of which is included in the lease.

I am accordingly approving the 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,

JOHN W. BRICKER,

Attorney General.