

6140.

APPROVAL—PROPOSED AGREEMENT FOR ELIMINATION  
OF GRADE CROSSINGS IN CINCINNATI, HAMILTON  
COUNTY, OHIO—N. Y. C. RAILROAD CO.

COLUMBUS, OHIO, October 2, 1936.

HON. JOHN JASTER, JR., *Director of Highways, Columbus, Ohio.*

DEAR SIR: You have submitted for my consideration a proposed agreement by and between the Director of Highways, the City of Cincinnati and The New York Central Railroad Company, covering the elimination of the grade crossings over the tracks of said company located on S. H. 43, and on 67th, 69th, 70th, 71st, 72nd, 73rd, 74th and the alley between 72nd and 73rd Streets in Cincinnati, Hamilton County, Ohio.

After examination, it is my opinion that said proposed agreement is in proper legal form and when the same is properly executed it will constitute a valid and binding contract.

Said proposed contract is being returned herewith.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

6141.

APPROVAL—BONDS OF CUYAHOGA COUNTY, OHIO, \$439,-  
000.00.

COLUMBUS, OHIO, October 2, 1936.

*Industrial Commission of Ohio, Columbus, Ohio.*

6142.

APPROVAL—LEASE TO HOCKING CANAL LANDS IN YORK  
TOWNSHIP, ATHENS COUNTY, OHIO—ALICE SIMMS OF  
NELSONVILLE, OHIO.

COLUMBUS, OHIO, October 3, 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 the state of Ohio through you as Superintendent of Public Works and as Director of said Department to one Alice Simms of Nelsonville, Ohio.

By this lease, which is one for a term of fifteen years and which provides for an annual rental of \$15.00, there is leased and demised to said lessee the right to occupy and use for residence and agricultural purposes that portion of the abandoned Hocking Canal located in York Township, Athens County, Ohio, which is more particularly described as follows:

Being that portion of said abandoned canal property lying between the northwesterly line of State Highway No. 155, Section H. R., and being State Highway No. 31, as relocated in 1932, and the northwesterly line of said canal property as shown by Plat No. 24 of Bruce Doughton's survey of said canal property, and extending from the northerly line of a tract of land conveyed by the State of Ohio to Esther G. McGill under date of August 22nd, 1932, said northerly line of said tract crossing the transit line of the said Doughton survey at or near Station 2046+47, northeasterly to the point of intersection of the northwesterly line of said canal property and the northwesterly line of said highway as relocated, and said point of intersection being opposite Station 2061+20 of the said Doughton Survey, and containing three and seventy-eight (3.78) acres, more or less.

I find from my examination of this lease that the same has been properly executed by you as Superintendent of Public Works and as Director of said Department, acting for and in the name of the state of Ohio, and by Alice Simms, the lessee therein named.

This lease is one executed under the authority conferred upon the Superintendent of Public Works by House Bill No. 417, enacted by the 88th General Assembly under date of April 5, 1929, 113 O. L., 521; and upon examination of the provisions of the lease and of the conditions and restrictions therein contained, I find that the same are in conformity with the provisions of the act of the General Assembly above referred to, and with other statutory enactments 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.*