

55.

APPROVAL—THREE DEEDS, STATE OF OHIO, THROUGH DIRECTOR OF PUBLIC WORKS, EXECUTED BY GOVERNOR AND SECRETARY OF STATE, TO THE PROCTOR AND GAMBLE COMPANY, DESIGNATED SURPLUS MIAMI AND ERIE CANAL LANDS, MILLCREEK TOWNSHIP, ST. BERNARD AND CINCINNATI, HAMILTON COUNTY, OHIO.

COLUMBUS, OHIO, January 27, 1939.

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

DEAR SIR: You have submitted for my examination and approval three certain deeds executed under date of December 22, 1938, by the State of Ohio, by the hands of the then Governor and Secretary of State, by which deeds there are severally conveyed to The Proctor and Gamble Company of Cincinnati, Ohio, Parcels Nos. 198, 199 and 200 of the subdivision of Surplus Miami and Erie Canal lands in Section 11, Millcreek Township, Hamilton County, Ohio, the first two said parcels being in the

City of St. Bernard, Ohio, and the other parcel being in the City of Cincinnati, Ohio.

The parcels of land above referred to and described are included as a part of the Surplus Miami and Erie Canal lands which were relinquished by the City of Cincinnati to the State of Ohio by deed under date of October 24, 1938, under the authority of Amended Senate Bill No. 123, passed by the 87th General Assembly under date of April 20, 1927, 112 O. L. 210. And the sale and conveyance of the above described parcels of Miami and Erie Canal lands thus relinquished by the City of Cincinnati to the State of Ohio is, apparently, under the authority of section 11 of said act which provides that if after three years from the date at which said act became effective all of the tracts of land relinquished to the State of Ohio under said act shall not have been theretofore sold or leased under section 8 of the act, providing for the sale of such parcels at the appraised value thereof fixed by the Superintendent of Public Works and by the Board of Rapid Transit commissioners of the City of Cincinnati, the remaining tracts shall be reappraised and thereafter sales and leases thereof shall be made on the basis of such reappraisalment. It appears that the respective purchase prices of these several parcels which are set out in the consideration clause of these deeds are the respective valuations of these parcels as made by the Superintendent of Public Works and by the Board of Rapid Transit Commissioners of the City of Cincinnati, which appraisals were made pursuant to the requirements of said act.

These deeds have been executed by the Governor, countersigned by the Secretary of State and upon each of the deeds the great seal of the State of Ohio has been pressed, all as required by section 8523, General Code. I further find, upon examination of these deeds, that the forms of the same are sufficient to convey the several parcels of Surplus Miami and Erie Canal lands therein described to The Proctor and Gamble Company by fee simple title, subject to the condition therein provided for that said grantee assumes and agrees to pay any and all assessments levied by the City of Cincinnati against the above described lots for the construction of Central Parkway. I am, accordingly, approving these deeds and the sale and conveyance of the several parcels of Surplus Miami and Erie Canal lands therein described, as is evidenced by my approval endorsed upon each of said several deeds. You will, of course, forward these deeds, as approved by the Governor and by myself as Attorney General, to the Auditor of State for record as provided by section 8523, General Code.

Respectfully,

THOMAS J. HERBERT,  
*Attorney General.*