

5644.

APPROVAL — CANAL LAND LEASE TO LAND IN STARR TOWNSHIP, HOCKING COUNTY, OHIO—THE SOUTHERN OHIO ELECTRIC COMPANY, COLUMBUS, OHIO.

COLUMBUS, OHIO, May 28, 1936.

HON. CARL G. WAHL, *Superintendent 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 and as Director of this department, acting for and on behalf of the state of Ohio, to The Southern Ohio Electric Company of Columbus, Ohio. By this lease which is one for a stated term of fifteen years and which provides for an annual rental of \$36.00, payable in semi-annual installments, there is leased and demised to the lessee above named for electric transmission line purposes two certain tracts of abandoned Hocking Canal lands in Starr Township, Hocking County, Ohio, which tracts of land are described in said lease as follows:

First Tract. Beginning at a point in the north property line of the Hocking Canal, in Hocking County, at Station No. 1900, thence extending southeastwardly along the inner slope of the towing path to a point in the south property line of the canal at Station No. 1949.

Second Tract. Beginning at a point on the south property line of the Hocking Canal, at Station No. 1980, and extending southward in a straight line to a point on the south line of the towing path at Station No. 1985, as shown by plats 22 and 23 of Bruce Doughton's survey of said canal property.

This lease is one executed by you under the authority of an act of the 79th General Assembly, enacted May 31, 1911, 102 O. L., 490, as said act is amended by an act of the 88th General Assembly under date of April 19, 1929, 113 O. L. 521.

Upon examination of the provisions of this lease, I find that the same 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 Southern Electric Company by the hand of its vice-president, acting pursuant to the authority of a resolution adopted by the board of directors of said company under date of June 12, 1935.

Upon examination of the provisions of this lease and of the conditions and restrictions therein contained, I find that the same are in conformity

with the statutory enactments 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.

5645.

APPROVAL—LEASE TO INSERT PIPE INTO LEVEL OF M & E CANAL AT ST. MARYS, OHIO—N. Y. C. AND ST. L. RAILROAD COMPANY.

COLUMBUS, OHIO, May 28, 1936.

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

DEAR SIR: You have submitted for my examination a certain lease in triplicate executed by you as Superintendent of Public Works and as Director of this Department to The New York, Chicago and St. Louis Railroad Company, by which, in consideration of the payment by the above named lessee of an annual rental of \$216.00, payable in semi-annual installments, said lessee is given the right for a term of five years to insert into the level of the Miami and Erie Canal at St. Marys, Ohio, a three inch pipe and to take from the canal at this point such water as may be necessary for the purpose of supplying the locomotives of the railroad company.

This lease has been properly executed by you as Superintendent of Public Works and as Director of the Department, acting for and on behalf of the state of Ohio, and by said railroad company, acting by the hand of one of its Vice Presidents pursuant to a resolution of the Board of Directors of said company duly adopted under date of July 30, 1935.

This lease is one executed under the authority of Sections 433 and 14009, General Code, and the provisions of the lease and the conditions and restrictions therein contained conform with these sections of the General Code and with other statutory enactments relating to leases of this kind. I am accordingly approving the lease and have endorsed my approval upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

JOHN W. BRICKER,
Attorney General.