

It is accordingly my opinion that these bonds constitute a valid and legal obligation of said city.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

1199

APPROVAL—CANAL LAND LEASE EXECUTED BY THE
STATE OF OHIO TO ONE CHESTER A. SHANKS OF
DAYTON, OHIO.

COLUMBUS, OHIO, September 20, 1937.

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 in triplicate executed by you as Superintendent of Public Works and as Director of said department to one Chester A. Shanks of Dayton, 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 residential and agricultural purposes that portion of the abandoned Miami and Erie Canal property, including the full width of the bed and banks thereof, located in Montgomery County, Mad River Township, and described as follows:

Beginning at station 9224+51, of H. E. Whitlock's Survey of said canal property; thence southwesterly with the canal property lines, a distance of one hundred forty-nine (149') feet, more or less, as measured along said transit line of said survey to station 9226+00, and containing thirteen thousand four hundred ten (13,410) square feet, more or less, excepting therefrom any part of the above described property that may be used by the Miami Valley Conservancy District.

Upon examination of this lease, which is one executed by you under the authority of the DeArmond Act, so-called, 114 O. L., 546, I find that the same has been executed by you in your official capacity above stated and by Chester A. Shanks, the lessee therein named, in the manner pro-

vided by law. Assuming, as I do, that the parcel of canal land above described has not been designated by the Director of the Department of Highways for state highway purposes, and that no application for the lease of this property for park purposes has been made by any political subdivision entitled to the lease of the property for such purposes, I find that the provisions of this lease and the conditions and restrictions therein contained are in conformity with the act of the legislature above referred to and with other statutory provisions relating to leases of this kind. I am, accordingly, approving this lease and I am herewith returning the same with my approval endorsed thereon and upon the duplicate and triplicate copies which are likewise herewith enclosed.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

1200

APPROVAL—CANAL LAND LEASE EXECUTED BY THE
STATE OF OHIO TO ONE HENRY A. BAUER OF DAY-
TON, OHIO.

COLUMBUS, OHIO, September 20, 1937.

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 in triplicate executed by you as Superintendent of Public Works and as Director of said department to one Henry A. Bauer of Dayton, 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 agricultural and recreational purposes that portion of the abandoned Miami and Erie Canal property, including the full width of the bed and banks thereof, located in Montgomery County, Mad River Township, and described as follows:

Beginning at station 9219+29.74 of H. E. Whitlock's Survey of said canal property which station intersects the property line between Henry Boeckermann and Henry Bauer, thence southwesterly with the canal property lines, a distance of ninety