

certain lands described therein, for the sole purpose of using said lands for public fishing grounds, and to that end to improve the waters or water courses passing through and over said lands.

Upon examination of the above instruments, I find that the same have been executed and acknowledged by the respective grantors in the manner provided by law and am accordingly approving the same as to legality and form, as is evidenced by my approval endorsed thereon, all of which are herewith returned.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3264.

APPROVAL—CANAL LAND LEASE, STATE OF OHIO, THROUGH DEPARTMENT OF PUBLIC WORKS, WITH HELEN M. DOBSON, COLUMBUS, OHIO, TERM FIFTEEN YEARS, ANNUAL RENTAL, \$12.00, LOT NO. 2, BALTIMORE ROAD, FAIRFIELD COUNTY, OHIO, FOR COTTAGE SITE AND GARDENING PURPOSES.

COLUMBUS, OHIO, November 16, 1938.

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 certain canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said department to one Helen M. Dobson of Columbus, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$12.00, there is leased and demised to the lessee above named the right to occupy and use for cottage site and gardening purposes, that portion of the state's allotment of the Spoil Embankment on the west side of the Ohio Canal, south of what is known as the Refugee Road, that is included in Lot No. 2, of said allotment, said lot having a frontage of one hundred (100') feet on what is commonly known as the Baltimore Road, and being a part of Section 4, Town 16, Range 18, Fairfield County, Ohio.

This lease is executed under the general authority conferred upon you by Section 13965, General Code, and under the more special pro-

visions of the Act of June 7, 1911, 102 O. L., 293, as amended by the later act of the 88th General Assembly passed April 5, 1929, 113 O. L., 524. By this later act, municipalities and owners of abutting property, in the order named, are given prior rights with respect to the lease of canal lands abandoned by said act which are located in the municipality. In this situation, I assume, with respect to the lease here in question, that no owner of abutting property other than the lessee above named has now pending any application for the lease of this property which would make this lease to Helen M. Dobson in any respect illegal.

With this assumption I find, upon examination of the provisions of this lease and of the conditions and restrictions therein contained, that the same are in conformity with the statutory provisions above referred to and with other statutes relating to leases of this kind. And since it appears that this lease has been executed by you as Superintendent of Public Works and as Director of said department, and by Helen M. Dobson, the lessee therein named, in the manner provided by law, I am approving this lease as is evidenced by my approval endorsed thereon and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3265.

APPROVAL—CANAL LAND LEASE, STATE OF OHIO, THROUGH DIRECTOR OF PUBLIC WORKS, TO RALPH R. KISER, TROY, OHIO, TERM FIFTEEN YEARS, ANNUAL RENTAL, \$7.50, DESCRIBED PORTION ABANDONED MIAMI AND ERIE CANAL PROPERTY, CONCORD TOWNSHIP, MIAMI COUNTY, OHIO, RIGHT TO OCCUPY AND USE FOR RESIDENTIAL AND AGRICULTURAL PURPOSES.

COLUMBUS, OHIO, November 16, 1938.

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