

4333.

APPROVAL: LEASE TO CANAL LANDS IN HOCKING COUNTY FOR GAS MAIN PURPOSES—OHIO FUEL GAS COMPANY OF COLUMBUS, OHIO.

COLUMBUS, OHIO, May 17, 1932.

HON T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a recent communication from you submitting for my examination and approval a certain canal land lease in triplicate by which instrument there is leased and demised to the Ohio Fuel Gas Company of Columbus, Ohio, the right to use and occupy certain parcels of abandoned Hocking Canal lands for single line gas main purposes.

The lease here in question, which is one for a stated term of fifteen years and which has been executed by you under the authority of section 13970, General Code, includes the following described parcels of canal lands:

“TRACT NO. 1. Beginning at Station 1437 at Lock No. 15, and running thence in an easterly direction Two Thousand Five Hundred and Twenty-six (2526') feet to Station 1462+26, or the west corporation line of the Village of Logan, Hocking County, Ohio, and thence from Station 1462+26 over canal embankments in said Village Two Thousand Nine Hundred and Ninety-nine (2999') feet to Station 1492+25 in Front Street in said Village.

TRACT NO. 2. Beginning at Station 1520+55 in Culver Street in said Village and running thence in an easterly direction over said canal embankments One Hundred (100') feet to Station 1521+55.

TRACT NO. 3. Beginning at Station 1535 near the east corporation line of Logan, Ohio, and running thence in a southeasterly direction over the canal embankments Three Thousand Six Hundred and Fifty (3650') feet, to Station 1571+50, in Hocking County, Ohio.

TRACT NO. 4. Beginning at Station 1604+70, and running thence in a southeasterly direction over the canal embankments One Hundred and Thirty (130') feet to Station 1606, in Hocking County, Ohio.

TRACT NO. 5. Beginning at Station 1997+50 in York Township, Athens County, Ohio, and running thence in an easterly direction over the canal embankments Ten Thousand Nine Hundred and Fifty (10,950') feet to Station 2107, of the canal survey.

TRACT NO. 6. Beginning at Station 2130, and running thence in an easterly direction over the canal embankments Four Hundred (400') feet to Station 2134, in the City of Nelsonville, Ohio.

TRACT NO. 7. Beginning at Station 2140 of the canal survey, and running thence in an easterly direction Five Hundred (500') feet to Station 2145, in the City of Nelsonville, Ohio.”

In this lease it is recited that the same is made to supersede two former leases granted to said company under date of February 17, 1923, and that this is done by reason of the fact that some of the parcels of land in which the pipes of the company were laid and maintained by the company under such leases have been used by the department of highways in the relocation and construction of State Route No. 31. From this fact, I infer that none of the

parcels of land covered by the present lease, and in and over which the company is to lay and maintain its gas pipes, has been designated by the state highway director as lands to be used for highway purposes under the authority granted to him by section 2 of the act of April 19, 1929, providing for the lease or sale of abandoned Hocking Canal lands.

In this situation, no reason is perceived why this lease, which calls for an annual rental of two hundred and eighty-six dollars, should not be approved; and the same is accordingly herewith approved by me as to legality and form, and the same is herewith returned with the duplicate and triplicate copies thereof with my approval endorsed thereon.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

4334.

APPROVAL: TWO CANAL LAND LEASES IN THE VILLAGE OF LOCKBOURNE, FRANKLIN COUNTY, OHIO, AND HAMLET OF OMEGA, PIKE COUNTY, OHIO.

COLUMBUS, OHIO, May 17, 1932.

HON T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—By a recent communication directed to me, you have submitted for my examination and approval two canal land leases, executed by you as superintendent of public works, by which you have leased and demised to one Walter Rush and to S. W. Jones, respectively, certain parcels of abandoned Ohio Canal lands located respectively in the village of Lockbourne, Franklin County, Ohio, and in the hamlet of Omega, Pike County, Ohio, which parcels of canal lands are more particularly described in said lease instruments.

Upon examination of these leases, each of which is for a term of fifteen years and each of which provides for an annual rental of six per cent of the appraised value of the parcel of land leased, I find that the same have been executed by you and by the respective lessees therein named in the manner required by law, and that the terms and provisions of said leases are in conformity with statutory provisions relating to canal land leases. These leases are accordingly approved by me as to legality and form, as is evidenced by my approval endorsed upon the leases and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*