

3956.

APPROVAL, TRANSCRIPT OF PROCEEDINGS FOR SALE OF HOCKING
CANAL LAND IN GREEN TOWNSHIP, HOCKING COUNTY, OHIO,
TO WILLIAM S. STONE.

COLUMBUS, OHIO, January 15, 1932.

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

DEAR SIR:—There has been submitted for my approval a transcript of certain proceedings by your predecessor, Hon. A. T. Connor, for the sale to one William S. Stone of a small parcel of abandoned Hocking Canal land located in Green Township, Hocking County, Ohio, which parcel is further described as being located between the southerly line of a certain tract of land sold by the State of Ohio to J. H. Brown under date of September 4, 1895, and the northerly line of State Highway No. 155 (being State Route No. 31) as relocated in 1931, and containing three thousand eight hundred and forty (3,840) square feet, more or less.

The sale of this property is under the authority of section 13971, General Code. This section, read in connection with later statutory provisions relating to the powers conferred upon the superintendent of public works, provides that any land or lands belonging to the State of Ohio, near or remote from the line of any canal in this state, that can not be leased so as to yield 6% on the valuation thereof, may be sold by the superintendent of public works and that any such parcel of land which has an appraised value of five hundred dollars (\$500.00) or less may be sold at private sale, at a price not less than the appraised value thereof.

In this case the appraised value of the property to be sold is fifty dollars (\$50.00) and, inasmuch as the transcript presented contains a recital that this property can not be leased so as to bring 6% rental on this appraisement, I see no legal objection to the sale of the same.

I am accordingly approving, as to legality, the transcript of proceedings for the sale of this property, as is evidenced by my approval endorsed upon said transcript and upon the duplicate copy thereof, both of which are herewith returned.

Respectfully,

GILBERT BETTMAN,
Attorney General.

3957.

APPROVAL, LEASE FOR RIGHT TO INSERT PIPE INTO OHIO CANAL
FOR PURPOSE OF SECURING WATER FOR USE OF THE CLEVELAND
LAND GARBAGE DISPOSAL PLANT.

COLUMBUS, OHIO, January 15, 1932.

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

DEAR SIR:—This is to acknowledge the receipt of a certain water lease or pipe permit in triplicate executed by the State of Ohio by the hand of your predecessor, as party of the first part, and by the City of Cleveland by its city manager, as

party of the second part, by which, for a term of five (5) years from May 1, 1930, and in consideration of an annual rental of one thousand five hundred thirty-six dollars (\$1,536.00) to be paid to the state by the City of Cleveland, there is granted to the city the right to insert into the Ohio Canal next above Lock No. 8, commonly known as the "Eight-Mile Lock," an eight (8") inch pipe for the purpose of securing water for condensing purposes in connection with The Cleveland Garbage Disposal Plant.

The lease here in question was executed by your predecessor under the authority of sections 431 and 14009 of the General Code. An examination of the provisions of said lease shows that said provisions and the conditions and restrictions therein contained are within the authority conferred upon the superintendent of public works with respect to leases of this kind; and finding further that this lease has been properly executed by the superintendent of public works and by the City of Cleveland, acting through the city manager pursuant to a resolution of the council of said city, said lease is accordingly hereby approved by me as to legality and form, and the same together with the duplicate and triplicate copies are herewith returned with my approval endorsed thereon.

Respectfully,

GILBERT BETTMAN,
Attorney General.

3958.

APPROVAL, LEASE FOR RIGHT TO ENTER UPON AND USE FOR GENERAL MUNICIPAL AND PUBLIC PARK PURPOSES, OHIO CANAL LAND IN VILLAGE OF NAVARRE, STARK COUNTY, OHIO.

COLUMBUS, OHIO, January 16, 1932.

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

DEAR SIR:—This is to acknowledge the receipt of a recent communication from your office submitting for my examination and approval a certain canal land lease in triplicate, executed on behalf of the State of Ohio by your predecessor, Hon. A. T. Connor, by which instrument there is leased and demised to the village of Navarre, Stark County, Ohio, for a term of ninety-nine years, renewable forever, the right to enter upon and occupy and use for general municipal and public park purposes, a certain parcel of abandoned Ohio Canal lands in said village, which is more particularly described as follows:

Beginning at the north corporation line of said Village, said line crossing the transit line of the G. F. Silliman survey of the Ohio Canal through Stark County, at or near Station 347+60, and running thence southerly and easterly with the lines of said canal property, 8,440 feet, more or less, to Station 432 of said Silliman's survey of said canal, and containing nineteen and one-half (19½) acres, more or less; Subject, however to all existing leases, with the right of renewal thereof for those portions of said canal property that have heretofore been legally leased by the Superintendent of Public Works.

The lease here in question is executed under the authority of sections 14203-51,