

and running thence southerly with the westerly line of Cross Street produced seventy-five (75') feet; thence easterly and parallel with Main or Basin Street, fifty-six (56') feet; thence northerly and parallel with Cross Street seventy-five (75') feet; thence westerly and parallel with Main or Basin Street, fifty-six (56') feet to the point of beginning and containing forty-two hundred (4200) square feet, more or less.

Upon examination of this lease, which is executed by you under the authority of an Act of the 89th General Assembly enacted April 29, 1931, 114 O. L., 541, I find that the same has been executed by you in your official capacity above stated and by C. E. Ortt and H. J. Ortt in the manner provided by law.

Assuming as I do, that this property has not been designated for state highway purposes and that no application for the lease of the same has been made by any of the corporations or persons having prior rights to the lease of this property under Section 8 of said Act, I find that the terms and provisions of this lease and the conditions and restrictions therein contained are in conformity with the above mentioned Act of the legislature and with other related statutes. I am, therefore, approving this lease, as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies there of, all of which are herewith enclosed.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3070.

A P P R O V A L — L E A S E, C A N A L L A N D, S T A T E O F O H I O,
T H R O U G H S U P E R I N T E N D E N T O F P U B L I C W O R K S, T O
C L A R E N C E E. O R T T A N D H. J. O R T T, T E R M F I F T E E N
Y E A R S, A N N U A L R E N T A L \$ 1 3 7 . 0 0, C E R T A I N D E S C R I B E D
O H I O C A N A L P R O P E R T Y, N E W C O M E R S T O W N, T U S C A -
F A W A S C O U N T Y, O H I O, T H E R I G H T T O O C C U P Y A N D
U S E F O R G E N E R A L B U S I N E S S P U R P O S E S.

COLUMBUS, OHIO, October 11, 1938.

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 executed by you as Superintendent of Public Works

and Director of said department to Clarence E. and H. J. Ortt of Newcomerstown, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$137.00, there is leased and demised to the lessees above named the right to occupy and use for general business purposes that portion of the Ohio Canal property in the village of Newcomerstown, Tuscarawas County, Ohio, that is described as follows:

Beginning at a point in the westerly line of Cross Street, as originally laid out that is eighty-one (81') feet south of the southwest corner of Main or Basin Street and Cross Street in said village measured along the westerly line of said Cross Street, and running thence southerly with the westerly line of Cross Street produced ninety (90') to the southerly line of said canal property; thence westerly and parallel with Main or Basin Street, thirty-seven (37') feet; thence northerly and parallel with Cross Street, fifteen (15') feet; thence westerly parallel to Main or Basin Street, sixty-one (61') feet; thence northerly parallel with Cross Street, seventy-five (75') feet to the northerly line of said canal property; thence easterly ninety-eight (98') feet to the point of beginning and containing seventy-nine hundred and five (7905) square feet, more or less.

Upon examination of this lease, which is executed by you under the authority of an Act of the 89th General Assembly enacted April 29, 1931, 114 O. L. 541, I find that the same has been executed by you in your official capacity above stated and by Clarence E. Ortt and H. J. Ortt in the manner provided by law.

Assuming, as I do, that this property has not been designated for state highway purposes and that no application for the lease of the same has been made by any of the corporations or persons having prior rights to the lease of this property under Section 8 of said Act, I find that the terms and provisions of this lease and the conditions and restrictions therein contained are in conformity with the above mentioned Act of the legislature and with other related statutes. I am, therefore, approving this lease, 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,

HERBERT S. DUFFY,

Attorney General.