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APPROVAL, TRANSCRIPT OF PROCEEDINGS RELATING TO
SALE OF HOCKING CANAL LANDS IN GOOD HOPE
TOWNSHIP, HOCKING COUNTY, OHIO—TO C. & O. R. R.
COMPANY.

COLUMBUS, OHIO, March 18, 1937.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR:—You have recently submitted for my examination and approval a transcript of your proceedings relating to the sale to the Chesapeake and Ohio Railroad Company of a parcel of abandoned Hocking Canal lands in Good Hope Township, Hocking County, Ohio, situated in Section 23, Township 13 North, Range 18 West, Ohio River Survey, and which is more particularly described by metes and bounds in your transcript.

This parcel, which contains .665 of an acre of land and which has been appraised by you at the sum of \$66.88, is being sold by you under the authority of Section 13971, General Code, as said section is referred to and incorporated in House Bill No. 417, 113 O. L., 521, which act provides for the abandonment of the Hocking Canal in Fairfield, Hocking and Athens Counties in this state.

Section 13971, General Code, authorizes the sale of canal lands when they cannot be leased so as to yield an income of six per cent upon the appraised value of the land and provides that such sale may be made without competitive bids where the valuation of the property to be sold is \$500.00 or less, if such sale is approved by the Governor and the Attorney General. In this transcript there is a finding therein made by you that this parcel of land cannot be leased so as to yield six per cent annually upon the appraised value of the property. You are therefore authorized to sell this property under the statutory provisions above noted and the sale of the property is hereby approved as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof.

I note from the transcript submitted to me that the Division of Conservation of the Department of Agriculture of the State of Ohio has some rights by way of lease or license in and to this parcel of land or a part of the same and in this situation the Chesapeake and Ohio

Railroad Company will take title to this property subject to whatever rights the Conservation Division may have in the premises.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

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APPROVAL, CORRECTED TRANSCRIPT OF PROCEEDINGS
RELATING TO SALE OF HOCKING CANAL LANDS IN
GOOD HOPE TOWNSHIP, HOCKING COUNTY, OHIO—
TO C. & O. R. R. CO.

COLUMBUS, OHIO, March 18, 1937.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR:—By communication of recent date you submitted for my examination and approval a transcript of your proceedings relating to the sale to The Chesapeake and Ohio Railroad Company of two parcels of abandoned Hocking Canal lands in Good Hope Township, Hocking County, Ohio, of which parcels one is in Section 24, Township 13 North, Range 18 West, and the other is in Sections 23 and 24, Township 13 North, Range 18 West, Ohio River Survey, and which contain .162 and .565 of an acre of land, respectively.

These parcels of abandoned Hocking Canal lands which, together, contain .727 acres have been appraised in the aggregate at a value of \$73.12. And the sale of this property is made by you under the authority of Section 13971 of the General Code as said section has been referred to and incorporated in House Bill No. 417, 113 O. L., 521, providing for the abandonment of the Hocking Canal in Fairfield, Hocking and Athens Counties, Ohio.

Section 13971, General Code, authorizes the sale of canal lands by the Superintendent of Public Works without competitive bids therefor where the appraised value of the property to be sold is \$500.00 or less, subject to the approval of the Governor and the Attorney General. Such sale can be made, however, only where it is found that such lands cannot be leased so as to produce an income yield of six per cent upon the appraised value of the property. In this connection, I note that the transcript contains a finding made by you that this property cannot be leased so as to produce the required income. In this situation, you are author-