

lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5964.

APPROVAL—CANAL LAND LEASE TO LAND IN TIPPECANOE CITY, OHIO.

COLUMBUS, OHIO, August 15, 1936.

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

DEAR SIR: You have submitted for my examination and approval a certain canal land lease in triplicate, executed by you as Superintendent of Public Works to Tippecanoe City, a municipal corporation located in Miami County, Ohio. By this lease, which is one for a term of ninety-nine years, renewable forever, and which provides for an annual rental of \$15.00, subject to reappraisal at the end of each fifteen-year period during the term of the lease, there is leased and demised to the municipal corporation above named the right to occupy and use for city park purposes that portion of the abandoned Miami and Erie Canal lands, including the full width of the bed and banks thereof, situated in Tippecanoe City and which is more particularly described as follows:

Beginning at the north corporation line of said city, as produced across said canal property, said corporation line produced crossing the transit line of the H. E. Whitlock Survey of said canal property at Station 8557+58.5, and running thence southerly with the lines of said canal property, eight hundred seventy-eight (878') feet, more or less, to the northerly line of the public highway, commonly known as the "Fry Road" and containing one and nine-tenths (1.9) acres, more or less.

This lease is one executed by you under the DeArmond Act, so called, 114 O. L., 546, and particularly under Sections 13 and 19 of said act, which have been carried into the General Code as Sections 14178-39 and 14178-45, respectively. Upon examination of the provisions of this lease and of the conditions and restrictions therein contained, I find that they are in conformity with the act above referred to and with the Farnsworth

Act, 114 O. L., 518, which specifically authorizes the lease of abandoned canal property to municipal corporations and to other political subdivisions. There are a number of other statutory provisions which relate more or less directly to leases of canal lands and of other state property. This lease conforms to such statutes.

It appears from an examination of the lease that the same has been properly executed by you as Superintendent of Public Works and by Tippecanoe City, by the hand of its Mayor acting pursuant to the authority of a resolution duly adopted by the Council of the municipality.

Finding this lease to be in all respects according to law, I am herewith approving the same as to legality and form, as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5965.

APPROVAL—LEASE TO CANAL LANDS AT NEWCOMERSTOWN, TUSCARAWAS COUNTY, OHIO—C. R. LEECH AND J. M. REHARD, NEWCOMERSTOWN, OHIO.

COLUMBUS, OHIO, August 15, 1936.

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

DEAR SIR: By recent communication, the receipt of which is hereby acknowledged, you have submitted for my examination and approval a canal land lease in triplicate executed by you as Superintendent of Public Works to C. R. Leech and J. M. Rehard of Newcomerstown, Ohio.

By this lease, which is one for a term of fifteen years and which provides for an annual rental of \$100.00, there is leased and demised to the lessees above named the right to occupy and use for garage, yard and storage purposes, a parcel of the abandoned Ohio Canal lands in the village of Newcomerstown, Tuscarawas County, Ohio, which is more particularly described in said lease and which aggregates 6600 square feet of land.

This lease is one executed by you under the authority conferred upon you as Superintendent of Public Works by Amended Substitute Senate Bill No. 72 enacted by the 89th General Assembly, 114 O. L., 541. Assuming, as I do, that no application was made for the lease of this parcel