

5620.

APPROVAL—LEASE TO OHIO CANAL LAND IN VILLAGE OF SHADESVILLE, FRANKLIN COUNTY, OHIO—HERBERT TAES, CANAL WINCHESTER, OHIO.

COLUMBUS, OHIO, May 26, 1936.

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

DEAR SIR: You have submitted for my examination a canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said Department to one Herbert Taes of Canal Winchester, Ohio. By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$9.00 payable in semi-annual installments of \$4.50 each, there is leased and demised to the lessee above named the right to occupy and use for residential and agricultural purposes that portion of the abandoned Ohio Canal property in the village of Shadesville, Franklin County, Ohio, that lies between the southerly line of a tract of land containing 24,144 square feet, more or less, that was deeded by Angeline Jefferies to Henry W. Wright on the 29th day of July, 1919, and the northerly line of Mill Street in said village, being a portion of the ground originally leased by the state of Ohio to Angeline Jefferies and in addition thereto the abandoned portion of Mill Street, lying north of Mrs. Jefferies original leasehold. Said tract is more particularly described as follows:

Commencing at the southeast corner of a .557 acre tract conveyed by Angeline Jefferies to Henry W. Wright by deed dated July 29th, 1919, and running thence westerly at right angles to the easterly line of said Wright's land, 107.70 feet to a stake; thence southerly at right angles 25.8 feet to a stake; thence westerly 80 feet to the southwest corner of said Wright's land; thence southerly with the west line of Wright's line, produced 85.25 feet to the northerly line of Water Street in said village; thence easterly along the north line of Water Street 188.5 feet to a stake; thence northerly 114.5 feet to the place of beginning, and containing .46 of an acre of land, more or less, and being a portion of a certain five-acre tract of land conveyed to the state of Ohio by John McCarthy and wife, by deed dated May 24, 1836, as recorded in Vol. 16, page 79, Franklin County Deed Records, as shown by Plat No. 6, J. W. Jones survey of said Columbus

Feeder Canal property, said plat being on file at the office of Public Works, Columbus, Ohio.

This lease is one executed under the authority of an act of the 79th General Assembly enacted June 8, 1911, 102 O. L., 318; which act, together with section 464, General Code, conferring upon the Superintendent of Public Works all the powers and duties heretofore conferred upon the Board of Public Works, authorizes you to lease the parcel of land above described, which is a part of the Columbus feeder to the Ohio Canal, subject to the approval of the Governor and the Attorney General.

Upon examination of this lease, I find that the same has been properly executed by you as Superintendent of Public Works, acting for the state of Ohio, and by Herbert Taes, the lessee therein named. I further find that the provisions of this lease and the conditions and restrictions therein contained are in conformity with the act of the legislature above noted and with other statutory provisions relating to leases of this kind. I am therefore approving this lease 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.

5621.

APPROVAL—LEASE TO OHIO CANAL LAND IN CITY OF
NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO.

COLUMBUS, OHIO, May 27, 1936.

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

DEAR SIR: As requested by you, I have examined a canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said Department to the city of New Philadelphia, Tuscarawas County, Ohio. The stated term of this lease as therein provided is ninety-nine years, renewable forever, and the annual rental provided for is the sum of \$182.00, which is four per cent upon the appraised valuation of the parcel of land covered by lease. As to this, the lease provides that the lessee is to have the right to occupy and use for municipal, general business, public park, street and sewerage purposes, that portion of the abandoned Ohio Canal lands located within the city of New Philadelphia, in-