

northerly with the easterly line of the said Rowe lease fifty (50') feet, more or less, to the northerly top water line, thence easterly with said top water line, one hundred eighty-six (186') feet, more or less, to the place of beginning, and containing ten thousand four hundred (10,400) square feet, more or less. Also the right to use the towing-path embankment of said canal property as a means of ingress and egress from and to Mound Street in said city.

Upon examination of this lease, I find that the same has been properly executed by you and by Frank Pugh, the lessee therein named. I further find, upon examination of this lease and of the conditions and restrictions therein contained, that the same are in conformity with the provisions of the Act of June 7, 1911, 102 O. L. 293, and with other statutory enactments relating to the execution of canal land leases.

I am accordingly 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.*

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3349.

APPROVAL, CANAL LAND LEASE TO LAND IN CITY OF DEFIANCE,  
DEFIANCE COUNTY, OHIO, FOR RIGHT TO OCCUPY AND USE  
FOR RECREATIONAL PURPOSES—W. A. HULL.

COLUMBUS, OHIO, October 26, 1934.

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

DEAR SIR:—This is to acknowledge the receipt of your recent communication submitting for my examination and approval a certain canal land lease in triplicate, executed by you as Superintendent of Public Works and as Director of said Department to one W. A. Hull of Defiance, Ohio. By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$13.50, there is leased and demised to the lessee above named the right to occupy and use for recreational purposes that portion of the abandoned Miami and Erie Canal property located in the City of Defiance, Defiance County, Ohio, and more particularly described by metes and bounds as follows:

Beginning at a point in the westerly line of said canal property that is one hundred four (104') feet southerly, as measured along said westerly line, from the southerly line of William (Davison) Street in said city, and running thence southerly with said westerly line one hundred eighteen (118') feet; thence easterly at right angles to said westerly line fifty-six (56') feet, to the westerly line of a lease granted the Defiance Screw Machine Products Company, under date of December 5, 1925; thence northerly with the westerly line of the said The Defiance Screw Machine Products Company's lease one hundred and eighteen (118') feet; thence westerly parallel with William Street fifty-six (56') feet, to the place of beginning and containing sixty-six hundred and eight (6608) square feet, more or less.

Assuming, as I do, that the above described parcel of Miami and Erie Canal lands has not been designated for highway purposes by the Director of Highways under the authority of the DeArmond Act, 114 O. L. 546, and that no application has been made under said act or the Farnsworth Act, 114 O. L., 518, for the lease of this property for public park purposes, I find that you are clearly authorized to execute this lease under the provisions of the act first above referred to.

Upon examination of this lease, I find that the same has been properly executed by you in your official capacity as Superintendent of Public Works and as Director of said Department and by W. A. Hull, the lessee therein named. I further find, upon examination of this lease and of the conditions and restrictions therein contained, that the same is in conformity with the pertinent provisions of the DeArmond Act and of other statutory enactments relating to leases of this kind.

I am accordingly 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.*

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3350.

APPROVAL, CANAL LAND LEASE TO LAND IN THE CITY OF CHILLICOTHE, OHIO, FOR THE RIGHT TO OCCUPY AND USE FOR RESIDENCE, AGRICULTURAL AND BUSINESS PURPOSES—M. J. DONOVAN.

COLUMBUS, OHIO, October 26, 1934.

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

DEAR SIR:—This is to acknowledge the receipt of your recent communication submitting for my examination and approval a canal land lease in triplicate, executed by you in your capacity as Superintendent of Public Works, to one M. J. Donovan of Chillicothe, Ohio.

By the lease instrument here in question, there is leased and demised to said lessee above named for a term of fifteen years and at an annual rental of forty-two dollars, the right to occupy and use for residence, agricultural and business purposes that portion of the abandoned Ohio canal lands in the City of Chillicothe, Ohio, that is more particularly described as follows:

Commencing at a point in the north line of Fifth Street in said city of Chillicothe, Ohio, and running thence westerly along the north line of Fifth Street, a distance of forty-six (46') feet, more or less, to an iron pin that marks the intersection of the northwesterly line of the state canal property with the north line of Fifth Street in said city, and running thence northwesterly along the westerly line of the state canal property, as shown by W. O. Sanzenbacher's survey of the abandoned Ohio Canal property through the city of Chillicothe, made under the direction of the State Board of Public Works, in the summer of 1911, a distance of eighty-six (86') feet, more or less, to the intersection of the westerly line of the state canal property with the east line of Lot