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

COLUMBUS, OHIO, August 11, 1933.

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

DEAR SIR:—You recently submitted for my examination and approval a certain Canal Land Lease in triplicate executed by you, in your official capacity, to one W. A. Hull of Defiance, Ohio. By this lease, which is one for a stated term of 15 years, and which provides for an annual rental of \$12, there is leased and demised to said lessee the right to occupy and use for recreational purposes, that portion of the abandoned Miami and Erie Canal Land, located in the city of Defiance, Defiance County, Ohio, described as follows:

Beginning at the point of intersection of the westerly line of said canal property, and the southerly line of said Home Addition, and being the southerly line of a lease granted to John Thome and E. W. Costello, under date of July 21, 1924, and running thence southerly with the westerly line of said canal property one hundred (100') 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 June 13, 1923; thence northerly with the westerly line of said Defiance Screw Machine Products Company's lease one hundred (100') feet to the southerly line of the said Thome and Costello lease; thence westerly fifty-six (56') feet to the place of beginning and containing fifty-six hundred (5600) square feet, more or less; reserving therefrom the right to the use by the state and the public in common with the grantee herein, of a driveway fifteen (15') feet wide off the westerly side of the above described land.

The lease here in question is one executed under the authority of Section 19 of the DeArmond Act, 114 O. L., 546, 552. In the consideration of this lease, I assume that no part of the above described parcel of abandoned Miami and Erie Canal Land has been designated by the State Highway Director as land needed for Highway purposes; and I likewise assume that no application has been made for the lease of this property or any part thereof for park purposes, either under the provisions of the DeArmond Act or of the Farnsworth Act.

With these assumptions it is clear that you have authority to execute the lease here in question; and finding, as I do, that the lease has been properly executed by you and by the lessee named therein, and that the terms and conditions of this lease are in conformity with the provisions of the DeArmond Act and with other statutory enactments, relating to leases of this kind, I am hereby approving this lease as to execution, 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 enclosed.

Respectfully,

JOHN W. BRICKER,
Attorney General.