

Beginning at the southwesterly line of High Street in said Village and extending thence southwesterly with the State property lines, a distance of sixty (60') feet, more or less, to the northeasterly boundary line of a lease now held by James S. Hammond, and containing four thousand three hundred and twenty (4,320) square feet, more or less; excepting therefrom so much of said canal property that may be occupied by permanent buildings.

This lease is one executed under the general authority conferred upon you by Sections 13965, et seq., General Code, and by the more particular provisions of an act of the 79th General Assembly enacted under date of June 7, 1911, 102 O. L., 293. This act provides for the abandonment of the Ohio Canal from Buckeye Lake to the point where said canal joins the Ohio River near Portsmouth, Ohio, and further provides among other things, for the lease of the canal lands abandoned by this act in strict conformity with the general statutory provisions relating to the lease of state canal lands (Secs. 13965, et seq., G. C.) except that the grant of such leases shall be for a term of not less than fifteen years nor more than twenty-five years, and the bed and banks of said canal property shall be included in any lease of said canal lands.

This lease and the conditions and restrictions therein contained are in apparent conformity with the provisions of the act of the legislature above referred to and inasmuch as the lease has been executed by you in your official capacity and by the lessees above named in the manner required by law, I am approving this lease as is evidenced by my approval endorsed on the lease and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

674.

APPROVAL—LEASE OF CANAL LANDS EXECUTED BY THE
STATE OF OHIO TO CHARLES J. WRIGHT OF LOGAN,
OHIO.

COLUMBUS, OHIO, June 1, 1937.

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

DEAR SIR: This is to acknowledge the receipt of your recent com-

munication with which you submit for my examination and approval a canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said department, acting for and in the name of the State of Ohio, to Charles J. Wright of Logan, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$20.00, there is leased and demised to the lessee above named the right to occupy and use for agricultural purposes that portion of the abandoned Hocking Canal, including the full width of the bed and embankment thereof, located in Green Township, Hocking County, Ohio, and described as follows :

Beginning at a line drawn at right angles to the transit line through Station 1770÷60 of Bruce Doughton's survey of said canal property, and running thence southeasterly with the lines of said canal property, 1440 feet, as measured along the transit line of the said survey, to Station 1785, and containing five (5) acres, more or less ; excepting and reserving therefrom any portion of the above described property that is now occupied by a public highway on the northerly side thereof.

This lease is one executed under the authority of House Bill No. 417 enacted by the 88th General Assembly April 19, 1929, 113 O. L., 521, providing for the lease or sale of abandoned Hocking Canal lands now owned by the State of Ohio in Fairfield, Hocking and Athens Counties. By this act the Superintendent of Public Works of Ohio, as Director thereof, subject to the approval of the Governor and the Attorney General, is authorized to lease or sell, as he may deem for the best interests of the State, in strict conformity with the provisions of Sections 13965, 13966, 13970 and 13971 of the General Code, relating to the selling or leasing of canal lands, those portions of the abandoned Hocking Canal lands in Fairfield, Hocking and Athens Counties, Ohio, that are still owned by the State. By this act it is further provided that such leases shall be for a term of not less than fifteen years nor more than twenty-five years, and that the bed and banks of said abandoned canal property may be included in any lease of such canal lands.

By Section Two of this act it is provided, among other things, that there is reserved from the provisions of said act any portion of said abandoned Hocking Canal that may be designated by the Director of Highways as necessary in any scheme of highway improvement adjacent to such abandoned canal lands. The authority of the Director of Highways to make such designation is apparently limited to one year from the effective date of said act.

Upon examination of this lease and of the conditions and restrictions

therein contained, I find that the same are in conformity with the above mentioned statutory provisions relating to leases of this kind and if, as I assume is the case, the Director of Highways did not designate the particular portion of the Hocking Canal lands above described, for highways purposes within the time limited by said act, it quite clearly follows that you are authorized to execute the lease here in question.

And inasmuch as it further appears that this lease has been executed on behalf of the State of Ohio by you as Superintendent of Public Works and as Director of said department, and by the lessee therein named, in full compliance with the law relating to the execution of leases of this kind, I am approving this lease as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which I am herewith enclosing.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

675.

APPROVAL—LEASE OF CANAL LANDS BY THE STATE OF OHIO TO C. W. BROWNFIELD AND J. F. BAIRD OF COLUMBUS, OHIO, COVERING HOCKING CANAL LANDS LOCATED IN GREEN TOWNSHIP, HOCKING COUNTY, OHIO.

COLUMBUS, OHIO, June 1, 1937.

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

DEAR SIR: This is to acknowledge the receipt of your recent communication with which you submit for my examination and approval a canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said department, acting for and in the name of the State of Ohio, to C. W. Brownfield and J. F. Baird of Columbus, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$72.00, there is leased and demised to the lessees above named the right to occupy and use for building and business purposes that portion of the abandoned Hocking Canal located in Green Township, Hocking County, Ohio, and described as follows: