

684.

SALE—STATE TO GEORGE M. AND MARY M. HUFFMAN,
DESIGNATED PORTION, OHIO CANAL LAND, NEWARK
TOWNSHIP, LICKING COUNTY.

COLUMBUS, OHIO, June 1, 1939.

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 transcript in duplicate of your proceedings relating to the sale of a certain parcel of abandoned Ohio Canal land to George M. and Mary M. Huffman of Newark, Ohio, in and for a consideration of \$38.50 to be paid by said George M. and Mary M. Huffman for such land.

The parcel of land here in question, which, together with other Ohio Canal lands in this section, was abandoned for canal and hydraulic purposes by certain acts of the General Assembly which have been carried into the General Code as sections 14203-20 to 14203-25, is located in Newark Township, Licking County, Ohio, and is more particularly described as follows:

Beginning at a point in the easterly line of said canal property where the same intersects the center line of a side road opposite to Station 212 + 30, of W. H. Heiby's Survey of said canal property; thence southwesterly along said canal property line, two hundred and fifty (250') feet, more or less, to a point, same being opposite to Station 214 + 80; thence northwesterly at right angles to said Station 214 + 80, sixty (60') feet, more or less, to a point, same being the intersection of the aforementioned and the easterly right of way line of State Highway No. 359 (being State Route No. 79) as relocated, and constructed in 1932; thence northeasterly along said right of way line, two hundred fifty-seven (257') feet, more or less, to a point, same being the intersection of said right of way line and the center line of a side road, also being at right angles to Station 212 + 23, of said survey; thence southeasterly along said center line of said side road, sixty (60') feet, more or less, to the point of beginning and containing 0.35 acres, more or less.

The parcel of Ohio Canal land here under consideration is being sold by you under the general authority conferred upon you with respect to the sale of canal lands by section 13971, General Code, and by the more special provisions of sections 14203-20, et seq., General Code, above

referred to. Upon examination of the transcript of your proceedings relating to the sale of this land, I find that the same contains a finding of all of the jurisdictional facts necessary to the exercise of your authority to sell this land except the finding therein with respect to the notice of sale provided for in the second paragraph of section 14203-23, General Code, which provides:

“Before proceeding to sell or lease any of said abandoned Ohio Canal lands, except to the owners of existing leases, the superintendent of public works, shall give at least thirty days notice by publication in two newspapers of opposite politics and of general circulation in the county where said lands are located, that he will on and after the date of publication and for ninety days thereafter receive applications for the purchase or lease of said abandoned canal lands, and after the expiration of said period, leases and sales of said abandoned canal lands may be made in accordance with the provisions of this act.”

Upon making inquiry of your department in regard to this matter, I am advised that the notice of sale with respect to the Ohio Canal lands abandoned for canal and hydraulic purposes by the acts above referred to, was given in the manner required by section 14203-23, General Code.

In this view and finding as I do that the sale of this property and the transcript of your proceedings relating to such sale are otherwise in compliance with the law, I am approving this sale and your proceedings relating to the same as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof, both of which are herewith returned.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

685.

SALE—STATE TO W. P. FLOWERS, DESIGNATED PORTION,
OHIO CANAL LAND, NEWARK TOWNSHIP, LICKING
COUNTY.

COLUMBUS, OHIO, June 1, 1939.

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 transcript in duplicate of your proceedings relating to the sale of a certain parcel of abandoned Ohio Canal land to one W. P. Flowers of