

787.

APPROVAL, LEASE TO OHIO CANAL LANDS IN STARK COUNTY,
OHIO.

COLUMBUS, OHIO, May 5, 1933.

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 in your official capacity as superintendent of public works and as director of said department to the Wheeling and Lake Erie Railway Company.

By this lease, which is one for a term of ninety-nine years, renewable forever, and which during the first fifteen-year period in the term of the lease provides for an annual rental of thirty-eight dollars, there is granted to said lessee the right to use and occupy for necessary railroad right-of-way and general building purposes a certain parcel of abandoned Ohio Canal lands in section 17, township 10, range 9, in the City of Massillon, Stark County, Ohio, which parcel is more particularly described as follows:

A strip of land thirty (30) feet in width, being fifteen (15) feet on each side of the center line of the main track of the Massillon Belt Branch of The Wheeling and Lake Erie Railway Company, as now located and operated, and extending the full width of the canal and embankments, said center line of main track being at Station ninety plus fifty-four and seven-tenths (90+54.7) of G. F. Silliman's survey of the Ohio Canal south of Cleveland, Ohio, as shown on Plat No. 52, of said survey, now on file in the Department of Public Works, at Columbus, Ohio.

It appears that the Wheeling and Lake Erie Railway Company is now occupying and using the above described parcel of land for the purposes above stated under a lease executed to it by the superintendent of public works under date of July 16, 1929; and that, acting under the provisions of section 9 of Amended Senate Bill No. 235, enacted by the 88th General Assembly under date of July 25, 1929 (113 O. L. 532, 535), said railway company on October 7, 1929, filed its application with the superintendent of public works for permission to surrender its present lease and to take a new lease under the provisions of said act.

In this situation, the validity of the lease here in question and of the terms and conditions therein contained is to be determined upon a consideration of the act of the 88th General Assembly above referred to and by general statutory provisions relating to canal land leases. Upon examination of said lease, I find that the same has been properly executed on behalf of the State of Ohio by you as superintendent of public works and by the Wheeling and Lake Erie Railway Company, acting through its vice president and general manager duly authorized in the premises.

Upon examination of the provisions of the lease and of the terms and conditions therein contained, I find the same to be in conformity with the provisions of the act of the 88th General Assembly above referred to and with other statutory provisions relating to canal land leases.

I am accordingly approving this lease as to legality and form and I am herewith returning the lease with my approval endorsed upon the same and upon the duplicate and triplicate copies thereof.

Respectfully,
JOHN W. BRICKER,
Attorney General.

788.

APPROVAL, LEASE TO RESERVOIR LAND IN LOGAN COUNTY, OHIO—
MARGUERITE D. OTTO.

COLUMBUS, OHIO, May 5, 1933.

HON. EARL H. HANEFELD, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a communication over the signature of the chief of the bureau of inland lakes and parks in the division of conservation in your department, submitting for my examination and approval a certain reservoir land lease in triplicate executed by the conservation commissioner to one Marguerite D. Otto of Dayton, Ohio.

By the lease here in question, which is one for a stated term of fifteen years and which provides for an annual rental of twenty-seven dollars, there is demised and granted to the lessee above named the right to occupy and use for cottage site, boathouse and docklanding purposes that portion of the state reservoir land included in Lot No. 31 of the re-allotment of Minnewauken Island in Indian Lake; said island being a part of Virginia Military Survey No. 12276 in Stokes Township, Logan County, Ohio.

Upon examination of this lease, I find that the same has been properly executed by the conservation commissioner and by Marguerite D. Otto, the lessee; and that the provisions of said lease and the conditions and restrictions therein contained are in conformity with section 471, General Code, and with other statutory provisions 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 enclosed.

Respectfully,
JOHN W. BRICKER,
Attorney General.

789.

APPROVAL, NOTES OF MAINEVILLE VILLAGE SCHOOL DISTRICT.
WARREN COUNTY, OHIO—\$1,464.00.

COLUMBUS, OHIO, May 5, 1933.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.