

1916.

APPROVAL, LEASE TO CANAL LAND IN THE VILLAGE OF MILLERSPORT, FAIRFIELD COUNTY, OHIO, FOR THE RIGHT TO OCCUPY AND USE FOR LAWN AND GARDEN PURPOSES — ALBERT V. GREEN.

COLUMBUS, OHIO, November 24, 1933.

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

DEAR SIR:—You recently submitted 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, to one Albert V. Green of Columbus, Ohio. By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of six dollars (\$6.00), payable in semi-annual installments, there is leased and demised to the lessee above named the right to occupy and use for lawn and garden purposes that portion of the towing path embankment of the Ohio Canal in the Village of Millersport, Fairfield County, Ohio, which is described as follows:

“Being all of said towing path embankment lying between the southerly line of said canal property and the southerly top water line at normal water level of said canal channel, and extending westerly from the west line produced of the alley between Lancaster St. and the west line produced of Broad Street, being a distance of 230 feet, more or less as measured along the transit line of the W. H. Heiby survey of said canal property and containing 13,800 square feet, more or less.”

Upon examination of this lease which, I assume, has been executed by you under the authority of an act passed by the 88th General Assembly, 113 O. L. 524, providing for the abandonment of the Ohio Canal from the flume at Buckeye Lake to little Walnut Creek in Pickaway County, Ohio, and for the sale or lease of the same, I find that the lease has been properly executed by you and by Albert V. Green, the lessee therein named.

Upon examination of the provisions of this lease and of the conditions and restrictions therein contained, I find that the same are in conformity with the act of the legislature above referred to and with other related statutory enactments applicable 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, which are herewith returned.

Respectfully,

JOHN W. BRICKER,
Attorney General.