

3068.

APPROVAL — CANAL LAND LEASE, STATE OF OHIO, THROUGH SUPERINTENDENT OF PUBLIC WORKS, WITH FLORENCE T. POLAND, CHILLICOTHE, OHIO, TERM FIFTEEN YEARS, ANNUAL RENTAL, \$18.00, RIGHT TO OCCUPY AND USE FOR RESIDENCE, AGRICULTURAL AND DRIVEWAY PURPOSES, DESCRIBED PORTION, ABANDONED OHIO AND ERIE CANAL PROPERTY IN FRANKLIN TOWNSHIP, ROSS COUNTY, OHIO.

COLUMBUS, OHIO, October 11, 1938.

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

DEAR SIR: You recently submitted for my examination and approval a canal land lease in triplicate executed by you in your official capacity as Superintendent of Public Works and as Director of said department to one Florence T. Poland of Chillicothe, Ohio. .

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$18.00, there is leased and demised to the lessee above named the right to occupy and use for residence, agricultural and driveway purposes that portion of the abandoned Ohio and Erie Canal property in Franklin Township, Ross County, Ohio, being part of the Virginia Military Survey in said county, adjacent to the east side of the roadway, commonly known as "Stoney Creek Road" and extending to the low water mark on the west bank of the Scioto River belonging to the State of Ohio, as shown by the plats of W. O. Sanzenbacher's Survey of said canal property, including the full width of the bed and banks thereof, now protected by riprapping and piling to the low water mark of said river and described as follows:

Beginning at the southerly end of that portion of said Ohio Canal property that was conveyed by the State of Ohio to Earl Sweptson in 1920, being at Station 234+50, of W. C. Row's Survey, also being at Station 423+90, of W. O. Sanzenbacher's Survey of said canal property, and extending thence southerly nine hundred ten (910') feet, more or less, to the southerly side of a small run commonly known as "Coon Creek" and containing three (3) acres, more or less.

Upon examination of this lease, which is executed by you under your general authority as successor to the power, authority and duties of the

Board of Public Works and under the more special authority conferred by an Act of the 79th General Assembly enacted June 7, 1911, 102 O. L., 293, I find that the lease has been properly executed by you in your official capacity above stated and by Florence T. Poland, the lessee therein named. I further find upon examination of this lease that the terms and provisions thereof and the conditions and restrictions therein contained are in conformity with said Act and with other statutory provisions relating to leases of this kind. I am accordingly approving this lease, 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,

HERBERT S. DUFFY,
Attorney General.

3069.

APPROVAL—LEASE, CANAL LAND, STATE OF OHIO, THROUGH SUPERINTENDENT OF PUBLIC WORKS, TO C. E. ORTT AND H. J. ORTT, TERM FIFTEEN YEARS, ANNUAL RENTAL \$90.00, CERTAIN DESCRIBED OHIO CANAL PROPERTY, NEWCOMERSTOWN, TUSCARAWAS COUNTY, OHIO, THE RIGHT TO OCCUPY AND USE FOR GENERAL BUSINESS PURPOSES.

COLUMBUS, OHIO, October 11, 1938.

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

DEAR SIR: You recently submitted for my examination and approval a canal land lease executed by you as Superintendent of Public Works and as Director of said department to C. E. and H. J. Ortt of Newcomerstown, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$90.00, there is leased and demised to the lessees above named the right to occupy and use for general business purposes that portion of the Ohio Canal property located in the village of Newcomerstown, Tuscarawas County, Ohio, and described as follows:

Beginning at a point in the westerly line of Cross Street, as originally laid out that is eighty-one (81') feet south of the southwest corner of Main or Basin Street and Cross Street in said village measured along the westerly line of Cross Street