

1664.

APPROVAL, TRANSCRIPT OF PROCEEDINGS TO MIAMI AND ERIE
CANAL LAND IN THE CITY OF CINCINNATI, HAMILTON COUNTY,
OHIO.

COLUMBUS, OHIO, March 24, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of a recent communication with which you submitted for my examination and approval a transcript of the findings and proceedings relating to the proposed sale of a certain parcel of abandoned Miami and Erie Canal lands in the city of Cincinnati, Ohio, to James N. Gamble, Edwin P. Gamble, Cecil H. Gamble, Sidney D. Gamble and Clarence J. Gamble, as well as a deed form of a deed to be executed by the Governor, conveying said parcel to the persons above named. The parcel of land here in question which is to be sold for a consideration in the sum of \$446.81 to be paid to the State of Ohio is more particularly described as follows:

“Being Parcel No. 8, of the Allotment of Miami and Erie Canal Lands, in the city of Cincinnati, in Section 19, Millcreek Township, Hamilton County, Ohio, as surveyed and platted by the Cincinnati Rapid Transit Commission, under the direction of the Superintendent of Public Works, in the summer of 1927, and described as follows:

Beginning in the west line of Central Parkway at the intersection of the north line of Lot No. 91 of Clarkson's Second Subdivision extended or produced eastwardly (said intersection being 154 feet, more or less, north of the north line of Charlotte St.); thence north 165 feet, more or less, along the west line of Central Parkway to the intersection of a line which is 183.18 feet north of and parallel with the south line of Lot No. 91 of Clarkson's Second Subdivision, said 183.18 feet measured along the east line of Central Avenue; thence west 20 feet, more or less, along said line which is 183.18 feet north of the south line of said Lot No. 91, to the west State line of the Miami and Erie Canal land; thence southeastwardly 163 feet, more or less, along the said west State line to the north line of said Lot No. 91; thence east 15 feet, more or less, along the north line of said Lot No. 91 extended eastwardly to the place of beginning, and being part of Miami and Erie Canal State land and containing approximately 2705 square feet, and being all that strip of land lying between the west line of the Central Parkway, in the City of Cincinnati, Hamilton County, Ohio, and the east line of the property now owned by the grantees herein.”

An examination of the transcript of your proceedings relating to the sale of this parcel of land shows that you have made all the findings and determinations now necessary to be made with respect to this property under the provisions of Section 13971, General Code, under the authority of which section and of Section 464, General Code, this sale is made.

Wholly aside from the question as to whether the provisions of Section 9 of the Act of April 20, 1927 (112 O. L. 210) do not confer upon you additional and specific authority to sell the canal land here in question, I am of the opinion that the sections of the General Code, above mentioned, confer upon you ample authority to this end, and that your proceedings are in all respects in conformity with the provisions of said sections. I am therefore approving your proceedings

relating to the sale of the above described parcel of abandoned Miami and Erie Canal lands, as is evidenced by my approval endorsed upon said transcript and upon the duplicate copy thereof.

I have likewise examined the deed form of the deed to be executed by the Governor, conveying the above described parcel of land to the purchaser thereof and find the same to be in proper legal form and the same is approved, as is indicated by my approval endorsed upon said form.

I am herewith returning said transcript and the duplicate thereof as well as the deed form submitted.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1665.

APPROVAL, TRANSCRIPT OF PROCEEDINGS TO MIAMI AND ERIE
CANAL LAND IN THE CITY OF CINCINNATI, HAMILTON COUNTY,
OHIO.

COLUMBUS, OHIO, March 24, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of a recent communication with which you submitted for my examination and approval, a transcript of the findings and proceedings relating to the proposed sale of a certain parcel of abandoned Miami and Erie Canal lands in the city of Cincinnati, Ohio, to The John Hauck Brewing Company, as well as a deed form of a deed to be executed by the Governor, conveying said parcel to the company above named. The parcel of land here in question, which is to be sold for a consideration in the sum of \$204.00, to be paid to the State of Ohio, is more particularly described as follows:

“Being Parcel No. 11, of the Allotment of Miami and Erie Canal lands in the city of Cincinnati, in Section 19, Millcreek Township, Hamilton County, Ohio, as surveyed and platted by the Cincinnati Rapid Transit Commission, under the direction of the Superintendent of Public Works of Ohio, in the summer of 1927, and described as follows:

Beginning in the west line of Central Parkway at the intersection of a line which is 357.45 feet north of and parallel with the south line of Lot No. 91 of Clarkson's Second Subdivision, said 357.45 feet measured along the east line of Central Avenue, said intersection being 501.88 feet, more or less, north of the north line of Charlotte Street; thence northwardly 80 feet, more or less, along the west line of Central Parkway to the intersection of a line which is 432.50 feet north of and parallel with the south line of said Lot No. 91; thence westwardly 17 feet, more or less, along the last described line to the west State line of the Miami and Erie Canal land; thence southwardly 80.07 feet along the said west State line to said line which is 357.45 feet north of the south line of said Lot No. 91; thence eastwardly 15 feet, more or less, to the place of beginning, and being part of Miami and Erie Canal State land and containing approximately 1235 square feet, and being all that strip of land lying between the west line of the Central Parkway, in the city of Cincinnati, Hamilton