

5594.

APPROVAL—BONDS OF CITY OF AKRON, SUMMIT COUNTY,
OHIO, \$15,000.00.

COLUMBUS, OHIO, May 23, 1936.

State Employes Retirement Board, Columbus, Ohio.

5595.

APPROVAL—BONDS OF BEDFORD VILLAGE SCHOOL DIS-
TRICT, CUYAHOGA COUNTY, OHIO.

COLUMBUS, OHIO, May 23, 1936.

State Employes Retirement Board, Columbus, Ohio.

5596.

APPROVAL—CANAL LAND LEASE TO LAND IN NEW BRE-
MEN, AUGLAIZE COUNTY, OHIO—THE KUENZEL MILLS
COMPANY OF NEW BREMEN, OHIO.

COLUMBUS, OHIO, May 25, 1936.

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 canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said Department, acting for the state of Ohio, to The Kuenzel Mills Company of New Bremen, Ohio. By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$126.00 payable in semiannual installments of \$63.00 each, there is leased and demised to the lessee above named the right to occupy and use for business building purposes, that portion of the abandoned Miami and Erie Canal property, located in the village of New Bremen, Auglaize County, Ohio, and described as follows:

Being that portion of the state lot on the easterly side
of said canal, commencing at the point of intersection of the

east line of said canal and the north line of the south addition of the said village, thence easterly along the said north line of the said south addition, one hundred forty-one (141') feet, more or less, to the westerly line of Washington Street in said village and being State Route No. 66; thence northwardly with the said westerly line of Washington Street (S. R. 66), three hundred and seventy-five (375') feet; thence westerly sixty-five (65') feet, more or less, to the easterly berm bank of said canal; thence southerly along said berm bank, three hundred eighty-two and six-tenths (382.68') feet, more or less, to the place of beginning and containing thirty-eight thousand, six hundred twenty-five (38,625) square feet, more or less.

This lease is one executed by you under the authority of Amended Substitute Senate Bill No. 194, 114 O. L., 546, which was enacted by the 89th General Assembly under date of April 29, 1931, and which went into effect on the 6th day of August, 1931. Assuming that no part of the above described parcel of land has been designated by the Director of Highways as land necessary for highway purposes as provided for in section 6 of said act (sec. 14178-32, G. C.) and assuming further that no application for the lease of this parcel of land or of any part thereof for park purposes has been made by any municipal corporation, other political subdivision or municipal park board under the provisions of section 13 of this act (sec. 14178-39, G. C.), I am of the opinion that you were authorized to execute this lease for the term and for the rental therein provided for, under the provisions of section 19 of the act (sec. 14178-45, G. C.).

Upon examination of the lease, I find that the same has been properly executed by you as Superintendent of Public Works and as Director of said Department, acting for the state of Ohio, and by The Kuenzel Mills Company, the lessee therein named, by the hand of the Secretary of said company, pursuant to the authority of a resolution of the Board of Directors of the company duly adopted under date of May 29, 1935. I further find that the provisions of this lease and the conditions and restrictions therein contained are in conformity with the act of the legislature above referred to 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.