

the authority of an act of the 89th General Assembly enacted April 29, 1931, 114 O.L., 541, I find that the same has been executed by you in your official capacity above stated and by C. A. Shupe in the manner provided by law.

Assuming, as I do, that this property has not been designated for state highway purposes and that no application for the lease of the same has been made by any of the corporations or persons having prior rights to the lease of this property under Section 8 of said Act, I find that the terms and provisions of this lease and the conditions and restrictions therein contained are in conformity with the above mentioned Act of the legislature and with other related statutes. I am, therefore, 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.

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APPROVAL—CANAL LAND LEASE EXECUTED BY THE
STATE OF OHIO TO ONE CHARLES STEPHENS OF
TROY, OHIO.

COLUMBUS, OHIO, July 2, 1937.

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 as Superintendent of Public Works and as Director of said department to one Charles Stephens of Troy, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$10.00, there is leased and demised to the lessee above named the right to occupy and use for residential and agricultural purposes that portion of the abandoned Miami and Erie Canal, including the full width of the bed and embankments thereof, located in Concord Township, Miami County, Ohio, which is more particularly described as follows:

Commencing at a line drawn at right angles to the transit

line of S. A. Buchanan's survey of said canal at Station 8413, which is about six hundred (600') feet northwesterly from Lock No. 14, numbering south from the Loramie Summit, said lock being also known as Shafer Lock; also, said place of beginning being the south boundary line of a lease now held by Clifford Wesco; thence southeasterly with the lines of said canal property to a line drawn at right angles to station 8423 of H. E. Whitlock's survey of said canal property, said line being about two hundred forty (240') feet southeasterly from the south end of said Lock 14, and containing three and seven-tenths (3.7) acres, more or less.

Upon examination of this lease, which is one executed by you under the authority of the DeArmond Act, so-called, 114 O.L., 546, I find that the same has been executed by you in your official capacity above stated and by Charles Ctephens, the lessee therein named, in the manner provided by law. Assuming, as I do, that the parcel of canal land above described has not been designated by the Director of the Department of Highways, for state highway purposes, and that no application for the lease of this property for park purposes has been made by any political subdivision entitled to the lease of the property for such purposes, I 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 and I am herewith returning the same with my approval endorsed thereon and upon the duplicate and triplicate copies which are likewise herewith enclosed.

Respectfully,

HERBERT S. DUFFY,
Attorney General.