

transcript relative to this issue was approved by this office in an opinion rendered to the State Teachers Retirement Board under date of July 15, 1935, being Opinion No. 4419.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city school district.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

663.

BONDS—CITY OF PORTSMOUTH, SCIOTO COUNTY,
\$61,000.00.

COLUMBUS, OHIO, May 26, 1939.

The Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN :

RE: Bonds of the City of Portsmouth, Scioto County,
Ohio, \$61,000.

The above purchase of bonds appears to be part of a \$139,000 issue of refunding bonds of the above city dated March 1, 1939. The transcript relative to this issue was approved by this office in an opinion rendered to the Commission under date of April 18, 1939, being Opinion No. 437.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

664.

LEASE—CANAL LAND, STATE TO CITY OF AKRON, RIGHT
TO LAY AND MAINTAIN CERTAIN DESIGNATED MAIN
TRUNK STORM SEWER, OHIO CANAL.

COLUMBUS, OHIO, May 27, 1939.

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

DEAR SIRS You have submitted to me 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 for and in the name of the State of Ohio, to the City of Akron, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for the payment by said lessee of an annual rental of \$240.00 payable in semiannual installments of \$120.00 each, there is leased and demised to said City of Akron, Ohio, as the lessee therein named, the right to lay and maintain an 8' 0" x 12' 6" reinforced concrete Main Trunk Storm Sewer, and likewise a 30" Intercepting Sanitary Sewer, to be located either underneath the storm sewer or adjacent thereto, at one side thereof in and upon lands of the Ohio Canal ; the center line of which sewer, commencing at a point in the south line of West Market Street in said city one hundred and eighty feet westwardly from the intersection of the south line of West Market Street and the west line of Canal Street, and extending southwardly an aggregate distance of four thousand and sixty feet, is more particularly described with respect to the several courses thereof in said lease instrument.

Upon examination of this lease, which appears to be a renewal of a prior lease for a like purpose executed under date of May 17, 1924, for a period of fifteen years, I find that the same has been properly executed by you as Superintendent of Public Works, acting for and in the name of the State of Ohio, and by the City of Akron, acting by the hand of its Director of Public Service pursuant to the authority granted to such officer by a resolution of the Council of the City of Akron duly adopted under date of May 16, 1939, and approved by the Mayor of said city under date of May 19, 1939.

I further find upon examination of the provisions of this lease and of the conditions and restrictions therein contained that the same are in conformity with the provisions of sections 13965, et seq., and with other statutory enactments relating to leases of this kind. I am accordingly approving this lease as is evidenced by my approval endorsed thereon and on the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

THOMAS J. HERBERT,
Attorney General.