

my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

---

672.

APPROVAL—LEASE OF CANAL LANDS EXECUTED BY THE STATE OF OHIO TO WILLARD WOLFE OF CIRCLEVILLE, OHIO, THE LANDS BEING LOCATED IN DEERFIELD TOWNSHIP, PICKAWAY COUNTY, OHIO.

COLUMBUS, OHIO, June 1, 1937.

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

DEAR SIR: You have submitted for my examination and approval a canal land lease in triplicate executed by you as Superintendent of Public Works to one Willard Wolfe of Circleville, Ohio.

By this lease, which is one for a term of fifteen years, and which provides for an annual rental of \$7.50, there is leased and demised to the lessee above named a portion of abandoned Ohio and Erie Canal land which is described in the lease as being located in Deerfield Township, Pickaway County, Ohio, and which is therein further described as follows:

Beginning at a point 973 feet westerly, as measured along the transit line of W. H. Heiby's survey of said canal property, from the westerly end of the old lock immediately west of the Scioto River, said point being at Station 3310÷00 of said survey, and being also the westerly line of an agricultural permit now held by William Baughan; thence extending westerly with the state property lines a distance of 300 feet, to Station 3313÷00.

Excepting and reserving so much of the above that may be occupied by the public highway, and also by a private lane crossing over said property.

I am unable to see from the location of this property as the same is described in the lease or from any other information in the lease contained, whether your authority to execute this lease is governed by

the act of the 79th General Assembly enacted under date of June 7, 1911, 102 O. L., 293, or by the later act of the 88th General Assembly enacted April 19, 1929, 113 O. L., 524, providing, among other things, for the lease of canal lands between the flume at Buckeye Lake in Fairfield County, Ohio, and Little Walnut Creek in Pickaway County, Ohio.

In either event as to the particular statutory provisions applicable to this lease, it appears that you are authorized to execute the lease upon the terms and conditions therein provided for.

Upon examination of the lease, I further find that the same has been executed by you in your official capacity as Superintendent of Public Works and by Willard Wolfe, the lessee above named, in the manner provided by law. 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 returned.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

---

673.

APPROVAL—LEASE OF CANAL LANDS EXECUTED BY THE  
STATE OF OHIO TO SMITH BROTHERS OF WAVERLY,  
OHIO, D. B. A. C. F. SMITH'S SONS.

COLUMBUS, OHIO, June 1, 1937.

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, on behalf of the State of Ohio, to George B. Smith, H. A. Smith and E. P. P. Smith of Waverly, Ohio, doing business as C. F. Smith's Sons.

This lease is one for a stated term of fifteen years and provides for an annual rental of \$30.00 and by its provisions leases and demises to the lessees above named the right to occupy and use for building and business purposes that portion of the abandoned Ohio and Erie Canal property located in the village of Waverly, Pike County, Ohio, that is described as follows: