

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.*

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1111.

APPROVAL—CANAL LAND LEASE EXECUTED BY THE  
STATE OF OHIO TO ONE HENRY BOECKERMANN OF  
DAYTON, OHIO.

COLUMBUS, OHIO, September 9, 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 Henry Boeckermann of Dayton, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$6.00, there is leased and demised to the lessee above named the right to occupy and use for agricultural and recreational purposes that portion of the abandoned Miami and Erie Canal property, including the full width of the bed and banks thereof, located in Montgomery County, Mad River Township, and described as follows:

Beginning at station 9218+39.54 of H. E. Whitlock's survey of said canal property, which station intersects the property line between Harold Bauer and Henry Boeckermann, thence southwesterly with the canal property lines, a distance of ninety and twenty-five hundredths (90.25') feet, more or less, as measured along the transit line of said survey to station 9219+29.74, which station intersects the property line between Henry Boeckermann and Henry Bauer, and containing nine thousand one hundred fifteen (9,115) square feet, 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 Henry Boeckermann, 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.*

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1112.

APPROVAL—CANAL LAND LEASE EXECUTED BY THE  
STATE OF OHIO TO ONE EDWIN L. KINCAID OF DAY-  
TON, OHIO.

COLUMBUS, OHIO, September 9, 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 Edwin L. Kincaid of Dayton, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$12.00, there is leased and demised to the lessee above named the right to occupy and use for cottage site and agricultural purposes that portion of the abandoned Miami and Erie Canal property, including the full width of the bed and embankments thereof, located in Mad River Township, Montgomery County, and described as follows: