

2461.

APPROVAL—CANAL LAND LEASE, STATE OF OHIO, THROUGH SUPERINTENDENT OF PUBLIC WORKS, WITH MARJORIE GLAZE BENEDICT, LUCASVILLE, OHIO, TERM FIFTEEN YEARS, ANNUAL RENTAL \$20.00, RIGHT TO OCCUPY AND USE FOR AGRICULTURAL PURPOSES, DESCRIBED PORTION, ABANDONED OHIO AND ERIE CANAL PROPERTY, MORGAN TOWNSHIP, SCIOTO COUNTY, OHIO.

COLUMBUS, OHIO, May 16, 1938.

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 in your official capacity as Superintendent of Public Works and as Director of said Department to one Marjorie Glaze Benedict of Lucasville, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$20.00, there is leased and demised to the lessee above named the right to occupy and use for agricultural purposes that portion of the abandoned Ohio and Erie Canal property, including the full width of the bed and banks thereof, located in Morgan Township, Scioto County, Ohio, and described as follows:

Beginning at a point opposite station 1828+78, of W. H. Heiby's Survey of said canal property, same being the southerly line of a lease granted to Grover V. Barr, under date of February 24, 1938, and running thence southerly with the line of said canal property, a distance of seventeen hundred and twenty-three (1,723') feet, more or less, to station 1847+01, of said survey, same being the northerly line of a tract of land adjacent to said canal property, and being owned by J. E. Blackburn, and containing 3.42 acres, more or less.

Upon examination of this lease, which is executed by you under your general authority as successor to the power, authority and duties of the Board of Public Works and under the more special authority conferred by an Act of the 79th General Assembly enacted June 7, 1911, 102 O. L., 293, I find that the lease has been properly executed by you in your official capacity above stated and by Marjorie Glaze Benedict, the lessee therein named. I further find upon examination of this lease that the

terms and provisions thereof and the conditions and restrictions therein contained are in conformity with said Act and with other statutory provisions relating to leases of this kind. I am accordingly 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.

2462.

APPROVAL.—PERMIT, STATE OF OHIO, THROUGH SUPERINTENDENT OF PUBLIC WORKS, TO JAMES SCANES BOAT AND DOCK OF TOLEDO, OHIO, RIGHT TO TAKE AND REMOVE SAND AND GRAVEL FROM BED OF LAKE ERIE IN MAUMEE RIVER AND MAUMEE BAY, AS DESCRIBED.

COLUMBUS, OHIO, May 16, 1938.

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 certain written permit in triplicate executed by you as Superintendent of Public Works to the James Scanes Boat and Dock of Toledo, Ohio, in and by the terms of which the permittee above named is given the right to take and remove sand and gravel from the bed of Lake Erie within certain areas described in this permit as follows:

(1) Being an area in the Maumee River extending from about 23,500 feet upstream of the Fassett Street Bridge at Toledo, to about 3,500 feet upstream of that bridge.

(2) Being a circular area about 2,500 feet in diameter in Maumee Bay and located 2,000 feet northeasterly of Turtle Island.

This permit is one granted by you under the authority conferred upon you for this purpose by Section 5 of Substitute Senate Bill No. 236 enacted by the 91st General Assembly under date of May 21, 1935, 116 O. L., 244. This section of the act here referred to provides: