

at Station 8116-41 of H. E. Whitlock's survey of said canal property, Northerly to Station 8109, and containing three (3) acres, more or less.

Reserving therefrom the right to maintain by the Baltimore & Ohio Railroad Co. a switch track as now located at the Southwest corner of said Tract No. 3.

The above described property to be used for Agricultural, Building and Manufacturing purposes.

This lease is executed by you under the authority conferred upon you for this purpose by the DeArmond Act enacted by the 89th General Assembly, 114 O.L., 546. In approving this lease under the provisions of the act of the legislature just referred to I assume that no part of the property covered by this lease has been designated by the Director of Highways for highway purposes and I likewise assume that no application has been made for the lease of this property for park purposes by any municipal corporation or other political subdivision which, under the provisions of this act, may have prior rights with respect to the lease of the property for such purposes.

Upon examination of the lease, I find that the same has been properly executed by you as Superintendent of Public Works and as Director of said department and by R. S. Altman, the lessee therein named. I further find that the provisions of this lease and the conditions and restrictions therein contained are in conformity with the law. I am accordingly approving the lease, 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.

814.

APPROVAL—WATER LEASE EXECUTED TO NEW YORK,
CHICAGO AND ST. LOUIS RAILROAD COMPANY.

COLUMBUS, OHIO, July 2, 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 certain water lease, so-called, executed by you as Superintendent of Public Works and as Director of said department to The New York, Chicago and St. Louis Railroad Company.

By the provisions of this lease instrument, said railroad company in consideration of the payment by it of an annual rental of \$216.00, is granted the right to insert a three-inch pipe into the level of Lake St. Marys at Celina, Ohio, and to draw through this pipe such amount of water as may be necessary for supplying the locomotive water tanks of the railroad company.

This lease, which is one for a term of five years from May 1, 1937, is a renewal of a like lease which has been held by said railroad company for some time as the successor to the Lake Erie and Western Railroad Company.

Upon examination of the lease, I find that the same has been properly executed by you as Superintendent of Public Works and as Director of said department, acting for and in the name of the State of Ohio, and by The New York, Chicago and St. Louis Railroad Company, by the hand of its Executive Vice President acting pursuant to the authority of a resolution of the Board of Directors of said company duly adopted under date of May 18, 1937, authorizing and directing the execution of the lease by the Executive Vice President of the company. The lease is one executed under the authority of an act of the legislature, the provisions of which are now found in Section 14009, General Code. The lease is in conformity with the provisions of this section; and I am accordingly approving the lease, as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned to you.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

815.

APPROVAL — TRANSCRIPT OF PROCEEDINGS RELATING TO SALE AND CONVEYANCE OF OHIO CANAL LANDS TO ROBERT A. YOUNG OF BALTIMORE, OHIO, FAIRFIELD COUNTY.

COLUMBUS, OHIO, July 2, 1937.

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