

examination of this lease, I find that the same has been executed by you as Superintendent of Public Works and by Frank Eceberger, the lessee therein named, in the manner provided by law. And finding, as I do, that the lease is one which you are authorized to make, the same is hereby approved by me 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.

1521.

APPROVAL—CANAL LAND LEASE EXECUTED BY THE
STATE OF OHIO TO THE PICKAWAY GRAIN COMPANY
OF CIRCLEVILLE, OHIO.

COLUMBUS, OHIO, November, 22, 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 in your official capacity as Superintendent of Public Works and as Director of said department to The Pickaway Grain Company of Circleville, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$66.00, there is leased and demised to the lessee above named the right to occupy and use for building and business purposes that portion of the abandoned Ohio and Erie Canal, located in the City of Circleville, Pickaway County, Ohio, that is in the rear of the original numbered lots 31, 32, 33, together with 11.25 feet off the south side of Lot 30, and also the 16.5 foot alley between Lots 31 and 32, and described as follows:

Beginning on a line which is the northerly boundary produced of the said 11.25 foot portion of Lot 30, said line intersecting the transit line of W. O. Sanzenbacher survey of said canal property at or near Station 3273+18; thence in a southwesterly direction with the canal property lines a distance of 191 feet, more or less to Station 3275+09, said station being at or near the intersection of the said transit line with

the southerly boundary produced of said Lot 33, and containing twenty-four thousand one hundred (24,100) square feet, 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 The Pickaway Grain Company, acting by the hand of the President of said company pursuant to the authority of a resolution duly adopted by the Board of Directors of this company under date of September 3, 1937. 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.

1522.

MISTAKE IN LISTING LOTS ON TAX DUPLICATE—AUDITOR MAY CORRECT, WHEN—CLERICAL ERROR.

SYLLABUS:

Where, in a particular case, a mistake has been made in the listing of acreage as lots on the tax duplicate, the county auditor is authorized to correct the description of such lands upon the tax duplicate as per the authority contained in Sections 2588 and 5571 of the General Code of Ohio, when he is satisfied that such mistake was a clerical error.

COLUMBUS, OHIO, November 23, 1937.

HON. J. EWING SMITH, *Prosecuting Attorney, Bellefontaine, Ohio.*

DEAR SIR: This will acknowledge receipt of your communication of recent date, which reads as follows: