

southeasterly curb of Front Street and a line parallel with said southeasterly curb of Front Street, and which line is seventy-five (75') feet distant therefrom in a southeasterly direction and which land lies between Station 1535+04.7 and Station 1537+02.7, as shown on a plat of G. F. Silliman's survey of said canal property through the village of Canal Dover, and being a tract of seventy-five (75') feet deep fronting on the southeast curb of said street between said stations in the city of Dover, Ohio.

Upon examination of this lease, which is executed by you under the authority of an Act of the 89th General Assembly enacted April 29, 1931, 114 O. L., 541, I find that the same has been executed by you in your official capacity above stated and by the city of Dover, acting by the hand of the Mayor of said city pursuant to the authority of an ordinance duly enacted by the Council of said city under date of September 13, 1937.

Assuming, as I do, that this property has not been designated for state highway purposes and that no application for the lease of the same has been made by any of the corporations or persons having prior rights to the lease of this property under Section 8 of said Act, I find that the terms and provisions of this lease and the conditions and restrictions therein contained are in conformity with the above mentioned Act of the legislature and with other related statutes. I am, therefore, 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.*

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1506.

APPROVAL—CANAL LAND LEASE EXECUTED BY THE  
STATE OF OHIO TO ONE E. G. MANSON OF TROY, 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 as Superintendent of

Public Works and as Director of said department to one E. G. Manson of Troy, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$7.50, 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, including the full width of the bed and banks thereof, located in Concord Township, Miami County, Ohio, which is described as follows:

Beginning at a line drawn across said canal property at right angles to the transit line of H. E. Whitlock survey of said canal through Station 8176+20 of said survey and running thence southerly with the lines of said canal property one hundred and eighty (180') feet, as measured along said transit line to a line drawn through Station 8178+00, and containing twelve thousand six hundred (12,600) square feet, more or less; excepting therefrom any portion of said canal property now occupied by the Dixie Highway.

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 E. G. Manson, 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.*