

1380.

LEASE—CANAL LAND, STATE TO B. C. BLACKBURN, DESIGNATED MIAMI AND ERIE CANAL LAND, VILLAGE OF MAUMEE, LUCAS COUNTY, USE, BUILDING, BUSINESS AND AGRICULTURAL PURPOSES.

COLUMBUS, OHIO, November 4, 1939.

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

DEAR SIR: You have 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 B. C. Blackburn, of Toledo, Ohio.

By this lease, which is one for a stated term of fifteen years, and which provides for an annual rental of \$12.00, payable in semi-annual installments of \$6.00 each, there is leased and demised to the lessee above named, to occupy and use for building, business and agricultural purposes, that portion of the abandoned Miami and Erie Canal property lying southeast of the wasteway at Lock No. 45, numbered north of Loramie Summit and located in the village of Maumee, Lucas County, Ohio, and more particularly described as follows:

“Being that portion of such canal lands lying southeasterly of and adjacent to a line approximately one hundred and five (105') feet to the left of and parallel with the transit line of S. A. Buchanan's Survey of said canal property between Station 323 + 00 and Station 326 + 00, of said survey, and containing one and one-tenth (1.1) acres, more or less, same being a portion of the property conveyed to the State of Ohio by William and J. F. Sabin under date of October 10, 1848.”

Upon examination of this lease, which is one executed by you under authority of the DeArmand Act so-called, 114 Ohio Laws, 546, I find that the same has been executed by you in your official capacity above stated, and by Bert C. Blackburn, the lessee therein named, in the manner provided by law.

There is attached to this lease a certification from the Director of the Department of Highways, showing that the property described in the lease is not needed in any scheme of highway development as contemplated under Section 14178-6, General Code of Ohio.

I am assuming 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, and I therefore 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 returned.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1381.

LEASE—CANAL LAND, STATE TO TROY MOTOR SALES, INC., DESIGNATED MIAMI AND ERIE CANAL LAND, CITY OF TROY, MIAMI COUNTY, USE, BUILDING, DRIVEWAY AND GENERAL BUSINESS PURPOSES.

COLUMBUS, OHIO, November 4, 1939.

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

DEAR SIR: You have 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 the Troy Motor Sales, Inc., of Troy, Ohio.

By this lease, which is one for a stated term of fifteen years, and which provides for an annual rental of \$195.00, there is leased and demised to the lessee above named, to occupy and use for building, driveway and general business purposes that portion of the abandoned Miami and Erie Canal property located in the City of Troy, Miami County, Ohio, and described as follows:

"Tract No. 1.

Beginning at a point in the westerly line of Market Street in said city that is one hundred sixty-eight and sixty-eight hundredths (168.68') feet south of the southwest corner of Canal and Market Streets, measured along the westerly line of said Market Street, and running thence westerly in a straight line three hundred and one and five-tenths (301.5') feet to the easterly line of a lease now held by the Miami Specialties, Inc., thence southerly with the easterly line of said lease, fifty-seven (57') feet, more or less, to the northerly line of what is commonly known as 'Dye Mill Race'; thence southeasterly along the northerly line of said race, three hundred and twenty (320')