

several deeds above referred to, and the other files which you submitted to me in connection with this matter.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3117.

APPROVAL—CANAL LAND LEASE, STATE OF OHIO THROUGH SUPERINTENDENT OF PUBLIC WORKS TO STINSON DETTY, GROVEPORT, OHIO, TERM FIFTEEN YEARS, ANNUAL RENTAL \$7.50, CERTAIN DESCRIBED PORTION ABANDONED OHIO CANAL PROPERTY, MADISON TOWNSHIP, FRANKLIN COUNTY, OHIO, RIGHT TO OCCUPY AND USE FOR PASTURAGE AND AGRICULTURAL PURPOSES.

COLUMBUS, OHIO, October 20, 1938.

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

DEAR SIR: You recently submitted for my examination and approval a certain canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said department to one Stinson Detty of Groveport, 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 pasturage and agricultural purposes that portion of the abandoned Ohio Canal property, located in Madison Township, Franklin County, Ohio, and described as follows:

Being the portion of said canal property, lying between the southerly line of said canal land property and the southerly line of that portion of said canal property leased to the Scioto Valley Traction Company under date of December 28, 1916, and extending from Station 1938+64, of W. J. Slavins Survey of said canal property, nine hundred (900') feet, westerly, as measured along the transit line of said survey to Station 1947+64, same being the easterly line of what is known as "Oregon Road" and containing one and three-tenths (1.3) acres, more or less.

This lease is executed under the general authority conferred upon you by Section 13965, General Code, and under the more special provisions of the Act of June 7, 1911, 102 O. L., 293, as amended by the later act of the 88th General Assembly passed April 5, 1929, 113 O. L., 524. By this later act, municipalities and owners of abutting property, in the order named, are given prior rights with respect to the lease of canal lands abandoned by said act which are located in the municipality. In this situation, I assume, with respect to the lease here in question, that no owner of abutting property other than the lessee above named has now pending any application for the lease of this property which would make this lease to Stinson Detty in any respect illegal.

With this assumption I find, upon examination of the provisions of this lease and of the conditions and restrictions therein contained, that the same are in conformity with the statutory provisions above referred to and with other statutes relating to leases of this kind. And since it appears that this lease has been executed by you as Superintendent of Public Works and as Director of said department, and by Stinson Detty, the lessee therein named, in the manner provided by law, I am approving this lease as is evidenced by my approval endorsed thereon and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

3118.

APPROVAL—BONDS CITY OF TOLEDO, LUCAS COUNTY,
OHIO, \$324,900.00, PART OF ISSUE DATED SEPTEMBER
1, 1938.

COLUMBUS, OHIO, October 21, 1938.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.
GENTLEMEN:

RE: Bonds of City of Toledo, Lucas County, Ohio,
\$324,900.00 (Limited).

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise part of an issue of poor relief bonds in the aggregate amount of \$495,800.00, dated September 1, 1938, bearing interest at the rate of $3\frac{3}{4}$ % per annum.