

3472.

A P P R O V A L — C A N A L L A N D L E A S E, S T A T E O F O H I O, T H R O U G H D I R E C T O R, D E P A R T M E N T O F P U B L I C W O R K S, T O C H A R L E S P. R A N E Y, A K R O N, O H I O, D E S I G N A T E D P O R T I O N, O H I O C A N A L L A N D S, A K R O N, O H I O, F O R G E N E R A L B U S I N E S S P U R P O S E S, A N N U A L R E N T A L, \$200.00.

COLUMBUS, OHIO, December 29, 1938.

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 canal land lease in triplicate executed by you as Superintendent of Public Works to one Charles P. Raney of Akron, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$200.00, payable in semiannual installments of \$100.00 each, there is leased and demised to the lessee above named the right to occupy and use for general business purposes that portion of the Ohio Canal lands in the City of Akron, Ohio, which is more particularly described as follows:

Commencing at a point in the southerly line of Exchange Street in said city that is one hundred thirty-nine and three-tenths (139.3') feet east of the southeast corner of Water and Exchange Streets, measured along the southerly line of Exchange Street; thence southerly along the easterly line of a short street, commonly known as "Miller Street", twenty-five (25') feet; thence easterly parallel with the south line of Exchange Street, twenty-five (25') feet; thence northerly, parallel with the east line of "Miller Street," twenty-five (25') feet to the south line of Exchange Street; thence westerly along the south line of Exchange Street, to the point of commencement.

This lease is one executed by you under the authority of Section 13965, General Code, which provides generally for the lease of canal lands, and of Section 464, General Code, which, among other things, confers upon the Superintendent of Public Works all of the powers and duties heretofore conferred by law upon the Ohio Canal Commission and the Board of Public Works with respect to the lease of canal lands, other than state reservoir lands dedicated as public parks and pleasure resorts; but that all such leases so executed by the Superintendent of

Public Works shall be subject to the approval of the Governor and the Attorney General.

Upon examination of this lease, I find that the same has been properly executed by you as Superintendent of Public Works, acting for and in the name of the State of Ohio, and by Charles P. Raney, 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 above noted statutory provisions and with other statutory enactments relating to leases of this kind. I am accordingly 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.*

3473.

APPROVAL—BONDS, MONTGOMERY COUNTY, OHIO, \$20,000.00, DATED OCTOBER 1, 1930.

COLUMBUS, OHIO, December 29, 1938.

*The Industrial Commission of Ohio, Columbus, Ohio.*

GENTLEMEN:

RE: Bonds of Montgomery County, Ohio, \$20,000.00.

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise part of an issue of water supply bonds in the aggregate amount of \$130,000.00, dated October 1, 1930, bearing interest at the rate of  $4\frac{1}{4}\%$  per annum.

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute valid and legal obligations of said county.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*