

2459.

APPROVAL — BONDS, CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO, \$5,000.00, PART OF ISSUE DATED MARCH 1, 1919.

COLUMBUS, OHIO, May 16, 1938.

*Retirement Board, State Public School Employes' Retirement System,
Columbus, Ohio.*

GENTLEMEN:

RE: Bonds of City of Cleveland,
Cuyahoga County, Ohio, \$5,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above city dated March 1, 1919. The transcript relative to this issue was approved by this office in an opinion rendered to your board under date of May 16, 1938, being Opinion No. 2458.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,
HERBERT S. DUFFY,
Attorney General

2460.

APPROVAL—CANAL LAND LEASE, STATE OF OHIO, THROUGH SUPERINTENDENT OF PUBLIC WORKS, WITH CHARLES A. BICHEL, NEW PHILADELPHIA, OHIO, TERM FIFTEEN YEARS, ANNUAL RENTAL \$7.50. RIGHT TO OCCUPY AND USE FOR AGRICULTURAL AND BUILDING PURPOSES, DESCRIBED PORTION, ABANDONED OHIO AND ERIE CANAL PROPERTY, ADAMS TOWNSHIP, COSHOCTON COUNTY, OHIO.

COLUMBUS, OHIO, May 16, 1938.

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 executed by you as Superintendent of Public Works and as Director of said department to one Charles A. Bichsel of New Philadelphia, 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 that portion of the abandoned Ohio and Erie Canal property for agricultural and building purposes, including the full width of the bed and banks thereof, located in Adams Township, Coshocton County, Ohio, and described as follows:

Beginning at a line drawn at right angles through station 3155 plus 75, of G. F. Silliman's Survey of said canal property, and running westerly with the lines of said canal property, a distance of one hundred (100') feet, to station 3156+75, and containing 0.2 acres, more or less.

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 Charles A. Bichsel in the manner provided by law.

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