

to R. Y. Patterson, et al., in 1897, one hundred sixty-six (166') feet, more or less, to the southeast corner of said Patterson tract; thence southerly at right angles thirty (30') feet; thence westerly parallel with said south line of said Patterson tract, one hundred seventy (170') feet, more or less, to a point which is nineteen (19') feet east of the center line of said C. & M. R. R., thence northerly, thirty-one (31') feet, more or less, to the place of beginning and containing five thousand one hundred twenty-four (5,124) square feet, 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 Arthur Zimmer 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.

1735.

APPROVAL.—LEASE SUPERINTENDENT OF PUBLIC WORKS TO MARK WOOD AND MRS. ALTA WOOD WORLEY, CLEVELAND, OHIO, FIFTEEN YEARS, ANNUAL RENTAL \$6.00, CERTAIN DESCRIBED PORTION OUTER MARGIN AND TOWING PATH, OHIO CANAL, VILLAGE OF NEW-COMERSTOWN, TUSCARAWAS COUNTY, OHIO, TO OCCUPY AND USE FOR YARD AND BUILDING PURPOSES.

COLUMBUS, OHIO, January 7, 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 executed by you as Superintendent of Public Works and as Director of said department to Mark Wood and Mrs. Alta Wood Worley of Cleveland, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$6.00, there is leased and demised to the lessee above named the right to occupy and use for yard and building purposes that portion of the outer margin of the towing path of the Ohio Canal in the village of Newcomerstown, Tuscarawas County, Ohio, which is described as follows:

Commencing at a point that is twenty-five and one-half ($25\frac{1}{2}$) feet north of the north line of Canal Street, measured at right angles thereto and eighteen and four-tenths (18.4) feet east of the east rail of the Cleveland and Marietta Branch of the Pennsylvania System; and running thence northerly with the west line produced of a two-story frame building formerly owned by John E. Wood, eleven (11) feet; thence easterly on a line parallel to and eleven (11) feet north of the building referred to above, eighty-two (82) feet, more or less, to a point opposite the northeast corner of said two-story building; thence southerly eleven (11) feet to the northeast corner of said building; thence westerly eighty-three (83) feet, more or less, to the point of commencement, and containing four hundred and fifty-one (451) square feet, 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 Mark Wood and Mrs. Alta Wood Worley 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.