

conditioned for the faithful performance of his duties with sureties to the approval of the state highway director.”

Finding said bonds to have been properly executed in accordance with the foregoing statutes, said bonds are hereby approved, and I have endorsed my approval on the bonds.

Both of said bonds and papers submitted therewith are herewith returned.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5438.

APPROVAL—APPLICATION FOR REDUCTION IN CURRENT RENTAL ON MIAMI AND ERIE CANAL LAND LEASE AT SIDNEY, OHIO—CITY OF SIDNEY, OHIO.

COLUMBUS, OHIO, May 1, 1936.

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

DEAR SIR: You have submitted to me for my approval a report of the finding of your office upon an application filed by the city of Sidney, Ohio, for an adjustment in the amount of unpaid back rentals on a lease of Miami and Erie Canal lands which was executed to said city under date of December 10, 1928, for a term of ninety-nine years renewable forever. In and by this application a reduction in the amount of the current rental provided for in this lease is likewise requested.

The lease here in question covers all that portion of the abandoned Sidney Feeder to the Miami and Erie Canal that is within the corporate limits of the city of Sidney, Ohio, and this section of the canal feeder is more particularly described both in the lease and in said application.

It appears that subsequent to the execution of this lease the city of Sidney, Ohio, granted subleases of parcels of the section of the canal lands covered by the lease, to a number of different individuals and corporations, and said city likewise took over from the state a number of leases that had theretofore been executed by the state to individuals and corporations covering other parcels of the canal lands demised by this lease.

The reasons assigned by the city of Sidney, Ohio, for the reductions requested in its application, which is signed on its behalf by the Acting Mayor of the city and by the Director of Service and Safety, are: (1)

that a considerable portion of the land covered by the lease is used as a public thoroughfare and for this reason produces no revenue to the city; (2) that the city's sublessees are in arrears in rentals payable to it in the aggregate amount of \$4120.00, and that this condition is caused by the fact that the rentals are excessive under present economic conditions; (3) that the original valuation placed on this property at the time this lease was granted, is excessive.

Acting upon this application your predecessor in office made a finding in and by which the delinquent rentals under this lease for the period between November 1, 1933, and May 1, 1935, amounting to \$3345.42, were adjusted and reduced to the sum of \$2341.79. The then Superintendent of Public Works likewise in his finding reduced the amount of the current rental under this lease for the period from May 1, 1935, to May 1, 1936, amounting to the sum of \$2230.28, to the sum of \$1784.22, which reduction was made effective as of May 1, 1935.

Upon examining the proceedings relating to the reductions requested in this application, I find the same to be substantially in the form required by House Bill No. 467, 115 O. L., 512. And inasmuch as it is to be assumed that your predecessor made an investigation of the facts relating to the requested reductions required of him by this statute, I am approving the reductions in the amount of delinquent and current rentals made by him, as is evidenced by my approval endorsed upon the resolution which accompanies this finding, and upon the copies thereof, all of which, together with the application and finding, are herewith returned to you.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5439.

APPROVAL—WARRANTY DEED TO LAND IN VILLAGE OF WESTERVILLE, FRANKLIN COUNTY, OHIO, EXECUTED BY THE BENJAMIN HANBY NATIONAL MEMORIAL SOCIETY TO OHIO STATE ARCHAEOLOGICAL AND HISTORICAL SOCIETY.

COLUMBUS, OHIO, May 1, 1936.

The Ohio State Archaeological and Historical Society, Ohio State Museum, High Street and Fifteenth Ave., Columbus, Ohio.

GENTLEMEN: You have submitted for my examination and approval a warranty deed executed by The Benjamin Hanby National Memorial Society, a corporation not for profit, by which there is conveyed to you