

tions from the depository, even though such trust company would be required at all times to hold as trustee or agent for the county sufficient eligible collateral or cash to secure the county funds on deposit.

Respectfully

JOHN W. BRICKER,
Attorney General.

5609.

APPROVAL—CANAL LAND LEASE TO LAND IN NEWCOMERSTOWN, TUSCARAWAS COUNTY, OHIO—J. M. KADEN OF CHICAGO, ILL.

COLUMBUS, OHIO, May 26, 1936.

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 and as Director of said Department, acting for the state of Ohio, to one J. M. Kaden of Chicago, Illinois. By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$30.00 payable in semiannual installments of \$15.00 each, there is leased and demised to the lessee above named the right to occupy and use for building and driveway purposes that portion of the Ohio Canal property located in the village of Newcomerstown, Tuscarawas County, Ohio, and described as follows:

Beginning at the point of intersection of the north line of said canal property and the easterly line of the first alley west of Bridge Street in said city and running thence easterly with the said north line of said canal property forty (40') feet, more or less, to the westerly line of the building now owned by T. J. Shannon; thence southerly twenty-one and three-tenths (21.3') feet, more or less, to a point which is ten (10') feet south of the southwesterly corner of said Shannon building; thence westerly parallel with the south line of said Shannon building fifteen (15') feet, more or less, to a point that is one hundred seventy-five (175') feet west of the west line of Bridge Street; thence southerly sixty-two (62') feet, more or less, to the southerly line of said canal property; thence westerly twenty-five (25') feet, more or less, to the easterly line of said alley; thence northerly with

the easterly line of said alley eighty-three (83') feet, more or less, to the place of beginning.

This lease is one executed by you under the authority of Amended Substitute Senate Bill No. 72, 114 O. L., 541, which was enacted by the 89th General Assembly under date of April 29, 1931, and which went into effect on the 6th day of August, 1931. Assuming that no part of the above described parcel of land has been designated by the Director of Highways as land necessary for highway purposes as provided for in section 6 of said act (Sec. 14203-95, G. C.) and assuming further that no application for the lease of this parcel of land or of any part thereof has been made by the village of Newcomerstown or by any other person or corporation entitled to priority with respect to the lease of this property, under the provisions of section 8 of said act (Sec. 14203-97, G. C.), I am of the opinion that you were authorized to execute this lease for the term and for the rental therein provided for, under the provisions of paragraph 5 of the section of the act last above referred to.

Upon examination of the lease, I find that the same has been properly executed by you as Superintendent of Public Works and as Director of said Department, acting for the state of Ohio, and by J. M. Kaden, 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 act of the Legislature above referred to and with other statutory provisions relating to leases of this kind. I am accordingly approving this lease as to legality and form, 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

JOHN W. BRICKER,
Attorney General.

5610.

APPROVAL — CANAL LAND LEASE TO LAND IN DOVER TOWNSHIP, TUSCARAWAS COUNTY, OHIO — OHIO POWER COMPANY OF NEWARK, OHIO.

COLUMBUS, OHIO, May 26, 1936.

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