

1733.

APPROVAL—LEASE SUPERINTENDENT OF PUBLIC WORKS TO NEWCOMERSTOWN LUMBER COMPANY, NEWCOMERSTOWN, OHIO, FIFTEEN YEARS, ANNUAL RENTAL \$36.00, CERTAIN DESCRIBED OHIO CANAL PROPERTY, CONTAINING 8,480 SQUARE FEET, EXCEPTING A CERTAIN DRIVEWAY 16 FEET WIDE, RIGHT TO OCCUPY AND USE FOR GENERAL BUSINESS 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 The Newcomerstown Lumber Company of Newcomerstown, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$36.00, 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 property in the village of Newcomerstown, Tucarawas County, Ohio, including the full width of the bed and embankments thereof, commencing at a line drawn at right angles to the canal at the easterly line produced of a lot owned by The Newcomerstown Lumber Company and extending thence westerly with the canal property one hundred twenty-three (123') feet, more or less to the westerly line produced of the lot in Case's addition now owned by The Newcomerstown Lumber Company, being at Station 2882+36.8 of G. F. Silliman's Survey of the Ohio Canal through the village of Newcomerstown, Ohio, made under the direction of the State Board of Public Works in the summer of 1911, and containing eight thousand, four hundred twenty (8,420) square feet, more or less, excepting and reserving to the State of Ohio and its lessees, a driveway sixteen (16') feet in width on the north side of the tract therein leased.

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 The Newcomerstown Lumber Company, acting by the hand of its Treasurer pursuant to a resolution of the Board of Directors of said company duly adopted under date of December 15, 1937.

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.

1734.

APPROVAL.—LEASE SUPERINTENDENT OF PUBLIC WORKS TO ARTHUR ZIMMER, NEWCOMERSTOWN, OHIO, FIFTEEN YEARS, ANNUAL RENTAL \$48.00, CERTAIN DESCRIBED OHIO CANAL PROPERTY LOCATED IN VILLAGE OF NEWCOMERSTOWN, TUSCARAWAS COUNTY, OHIO, RIGHT TO OCCUPY AND USE FOR 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 one Arthur Zimmer of Newcomerstown, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$48.00, there is leased and demised to the lessee above named the right to occupy and use for building purposes a part of the Ohio Canal property located in the village of Newcomerstown, Tuscarawas County, Ohio, and described as follows:

Beginning at a point which is nineteen (19') feet east of the center line of the C. & M. R. R. and ninety (90') feet south of the south line of Basin Street in said village; thence easterly with the south line of a tract of land sold by the State of Ohio