

the sum of \$60.00 annually, with the further provision that all water taken by said lessee over and above the amount of 10,800,000 gallons per year, shall be paid for at the rate of 5.66 mills per 1,000 gallons.

Upon consideration of the terms of said lease, I do not find therein any reference to the matters provided for by Section 14012, General Code; but inasmuch as the possibility of the use of the water in the Feeder from which this water is to be taken for navigation purposes is extremely remote, and the provisions of said statute are by law to be considered a part of said lease, I am not disposed to disapprove the lease on account of the objection here noted. And finding the terms of said lease to be otherwise in accordance with the provisions of Section 14009, General Code, and with those of other related sections, said lease is accordingly by me approved as to legality and form, as is evidenced by my authorized signature upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*

1976.

APPROVAL, LEASE TO LAND IN OXFORD TOWNSHIP, COSHOCTON COUNTY, OHIO, FOR COTTAGE SITE AND AGRICULTURAL PURPOSES—H. M. FISHER—GEORGE L. ACKERMAN.

COLUMBUS, OHIO, June 13, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You will find enclosed herewith a certain canal land lease in triplicate which has been executed by you as Superintendent of Public Works on behalf of the State of Ohio, by which you have leased and demised to H. M. Fisher and George L. Ackerman of New Philadelphia, Ohio, for a term of 15 years, the right to use and occupy for the purposes of a cottage site and for agricultural purposes a certain parcel of Ohio canal land, located in Oxford Township, Coshocton County, Ohio, and more particularly described as follows:

Beginning at a line drawn at right angles through Station 3178 on the transit line of the G. F. Silliman survey, and running thence southwesterly with the lines of said canal property, one hundred (100) feet, to a line drawn at right angles through Station 3179; reserving therefrom any portion of the above described property that may be occupied by the Public Highway.

The parcel of land covered by this lease has been valued at the sum of \$100.00, and the annual rental reserved in said lease for the use and occupancy of said parcel of land is \$6.00, payable in semi-annual installments of \$3.00 each.

Upon examination of the provisions of said lease, I find that the same conform to the provisions of Sections 13965 et seq., Section 464, and of other related sections of the General Code applicable in the consideration of leases of that kind. Said lease is, therefore, approved by me as to legality and form and I have endorsed my approval upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,  
GILBERT BETTMAN,  
*Attorney General.*