

Attorney General of the functions of an administrative department. I accordingly express no opinion upon the filing which you submit.

Respectfully,
GILBERT BETTMAN,
Attorney General.

4744.

APPROVAL, TWO LEASES TO OHIO CANAL LANDS IN COSHOCTON COUNTY, OHIO.

COLUMBUS, OHIO, November 16, 1932.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of your recent communication submitting for my approval, among others, two certain leases in triplicate by which there are leased and demised to Starling P. Bahmer and Marguerite E. Bahmer, respectively, of New Philadelphia, Ohio, two certain parcels of Ohio Canal property located in Oxford Township, Coshocton County, Ohio, which parcels of canal lands are more particularly described in the leases above referred to.

The leases here in question have been executed under the authority of Amended Substitute Senate Bill No. 72, enacted as a law by the 89th General Assembly (114 O. L. 541), which act provides for the abandonment for canal purposes of that portion of the Ohio Canal located in Tuscarawas, Coshocton and Muskingum Counties, Ohio. Upon examination of these leases, each of which is for a term of fifteen years and calls for an annual rental of nine dollars, payable in semi-annual installments, I find the same to be properly executed by the Superintendent of Public Works and by the respective lessees above named. Further on consideration of these leases and of the provisions therein contained, I find, assuming that no application for the lease of the parcels of abandoned canal lands here in question has been filed by any corporation or person entitled to prior rights under section eight of said act, that these leases are in conformity with the provisions of this act of the 89th General Assembly and with other statutory provisions relating to leases of this kind. In this connection, however, it is understood that the lessees above named take these leases subject to the right of any village, city, township, county or other taxing district to take this property over for park purposes at any time within two years from the effective date of Amended Substitute Senate Bill No. 69, passed by the 89th General Assembly (114 O. L. 518).

I am accordingly approving these leases as to legality and form as is evidenced by my approval endorsed upon the leases and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,
GILBERT BETTMAN,
Attorney General.