

1095.

CONVEYANCE—STATE TO C. D. SHAFER, H. W. SHAFER AND F. E. DOWLER, DESIGNATED PARCEL, ABANDONED HOCKING LAND, CITY OF NELSONVILLE, ATHENS COUNTY.

COLUMBUS, OHIO, August 25, 1939.

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

DEAR SIR: This is to acknowledge receipt of your recent communication with which you submit for my examination and approval a transcript of your proceedings as Superintendent of Public Works, relating to the sale to C. D. Shafer, H. W. Shafer and F. E. Dowler, of a parcel of abandoned Hocking Canal Land in the city of Nelsonville, Athens County, Ohio, which is more particularly described as follows:

“Beginning at a point, same being the intersection of the westerly line of Fourth Street and the northerly line of Parkway Drive in said city, said point being sixty-one and no-tenths (61.0') feet northerly from Station 2203 + 36.6 on the transit line of Bruce Doughton's Survey of the Hocking Canal property; thence north 39° 07' west along the northerly line of Parkway Drive, one hundred and fifty (150') feet to a point, same being the westerly line of Lot No. 383 produced; thence north 39° 07' east along said lot line, three-tenths (0.3') feet to a point, same being the northerly property line of the Hocking Canal; thence south 38° 51' east along said canal property line, eighty (80') feet to a point; thence south 42° 58' east along said canal property line, seventy and one-tenth (70.1') feet to a point, same being the intersection of the northerly property line of said canal and the westerly line of Fourth Street; thence south 39° 07' west along said westerly line of Fourth Street, four and seven-tenths (4.7') feet to the point of beginning and containing one hundred and fifty-nine (159) square feet, more or less.”

The sale of the above described parcel of land, which is in consideration of the payment by said C. D. Shafer, H. W. Shafer and F. E. Dowler of the sum of \$12.00 the appraised value of the property, is one made by you under authority of the provisions of Section 13971, General Code, relating to the sale of canal lands generally, and of House Bill No. 417, enacted by the 88th General Assembly under date of April 19, 1929 (113 O. L., 521).

An examination of the transcript submitted to me shows findings made by you that the parcel of land is not required for the use, mainte-

nance and operation of the canal and that the same cannot be leased so as to produce an annual rental of six percent on the appraised value of the property, which findings of fact are required by law as a predicate to your authority to sell the property. It appears, further, that the appraised value and sale price of this property does not exceed \$500.00; and in this situation you are authorized to sell this property at private sale subject to the approval of the Governor and the Attorney General.

Upon the considerations above noted, I am approving the sale of this property and the transcript of your proceedings relating to such sale, all of which is evidenced by my approval endorsed upon the transcript of your findings relating to this sale and upon the duplicate copy thereof, both of which are herewith enclosed.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1096.

LEASE—CANAL LANDS, STATE TO LEW SEIBERT, DESIGNATED PORTION, OHIO CANAL PROPERTY, ADAMS MILLS, COSHOCTON COUNTY.

COLUMBUS, OHIO, August 25, 1939.

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

DEAR SIR: You have submitted to me 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 for and in the name of the State of Ohio, to one Lew Seibert of Adams Mills, Coshocton County, Ohio.

By this lease, which is one for a stated term of fifteen years, and which provides for the payment of an annual rental of \$18.00, there is leased and demised to the lessee above named, the right to occupy and use for agricultural and residential purposes only, that portion of the Ohio Canal property located in Adams Mills, Coshocton County, Ohio, which is more particularly described as follows:

“Beginning at a line drawn at right angles to Station 4307 + 00 of G. F. Silliman’s Survey of said canal property, and extending thence southwesterly with the canal property lines, a distance of three hundred eighty-four (384’) feet to Station 4310 + 84 of said survey and containing one and four-tenths (1.4)