

263.

DEED—ABANDONED HOCKING CANAL LAND, STATE TO
CHARLES D. FEDERER, DESIGNATED PORTION, BERNE
TOWNSHIP, FAIRFIELD COUNTY.

COLUMBUS, OHIO, March 7, 1939.

HONORABLE 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 transcript of your proceedings as Superintendent of Public Works relating to the sale to one Charles D. Federer of Sugar Grove, Ohio, of a parcel of abandoned Hocking Canal land in Berne Township, Fairfield County, Ohio, which is more particularly described as follows:

Beginning at Station 831+86 in the transit line of Bruce Doughton's Survey of said canal property, same being the property line between the property formerly owned by G. F. Hummel and Catherine Deeds, and extending thence southerly with the lines of said canal property, seven hundred ninety-three (793') feet, more or less, to station 839 + 79, same being the north corporation line of the village of Sugar Grove, and containing two and twenty-eight hundredths (2.28) acres, more or less.

The sale of the above described parcel of land, which is in consideration of the payment by said Charles D. Federer of the sum of \$114.00, the appraised value of the property, is one made by you under the 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 this parcel of land is not required for the use, maintenance and operation of the canal and that the same cannot be leased so as to produce an annual rental of six per cent on the appraised value of the property, which findings of fact are required by law as a predicate to your

authority to sell this 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.