

5647.

APPROVAL—LEASE TO M&E CANAL LAND IN DEFIANCE,  
OHIO — DEFIANCE COUNTY METROPOLITAN PARK  
BOARD.

COLUMBUS, OHIO, May 28, 1936.

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

DEAR SIR: You have submitted 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, acting on behalf of the State of Ohio, to The Defiance County Metropolitan Park Board, the same being the board provided for by law for a park district under the above name established and organized under the provisions of sections 2976-1, et seq., General Code. By this lease, which is executed under the authority of the Farnsworth Act, so-called, 114 O. L., 518 (Secs. 464-1 and 464-2, G. C.), and the DeArmond Act, 114 O. L., 546 (Secs. 14178-39, 14178-40, 14178-41 and 14178-42, G. C.), there is leased and demised to the lessee above named the right to occupy and use three certain tracts of Miami and Erie Canal lands in and adjacent to the city of Defiance, Ohio, which tracts or parcels of canal lands are more particularly described in said lease, which is for a term of ninety-nine years, renewable forever, and which, as provided for in the acts of the legislature above referred to, provides for the payment of a nominal annual rental only, which in this case is the sum of \$6.00. The parcels of abandoned Miami and Erie Canal lands set out and described in this lease are leased and demised to The Defiance County Metropolitan Park Board for public park and recreational purposes and for such other purposes as are incidental to the use of this property for park purposes, all as authorized by the acts of the legislature under which the lease is executed.

Upon examination of the lease, I find that the same has been properly executed on behalf of the state of Ohio by you as Superintendent of Public Works and as Director of said Department, and by The Defiance County Metropolitan Park Board, acting by the hand of its Secretary pursuant to the authority of a resolution of The Defiance County Metropolitan Park Board adopted under date of September 5, 1935.

Upon a careful examination of the provisions of this lease and of the conditions and restrictions therein contained, I find that the same are in conformity with the acts of the legislature above referred to and with other statutory enactments relating to leases of this kind. I am accordingly approving this lease as to legality and form, 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,

JOHN W. BRICKER,  
*Attorney General.*

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5648.

APPROVAL — CONTRACT FOR HEATING FOR PROJECT KNOWN AS COTTAGES A AND B, GIRLS' INDUSTRIAL SCHOOL, DELAWARE, OHIO, \$8,314.00, GLENNS FALLS INDEMNITY COMPANY OF GLENNS FALLS, N. Y., SURETY—WUELLNER AND THEADO, COLUMBUS, OHIO, CONTRACTOR.

COLUMBUS, OHIO, May 28, 1936.

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

DEAR SIR: You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, and Wuellner and Theado, of Columbus, Ohio. This contract covers the construction and completion of heating for a project known as Cottages A and B, Girls' Industrial School, Delaware, Ohio, in accordance with Items Nos. 3 and 10 (Alt. H-1) of the Form of Proposal dated May 1, 1936. Said contract calls for an expenditure of eight thousand three hundred and fourteen dollars (\$8,314.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also submitted certificates of the Controlling Board showing that such board has released funds for this project, in accordance with section 1 of House Bill No. 69 of the second special session of the 90th General Assembly, and section 1 of House Bill No. 504 of the regular session of the 91st General Assembly.

In addition, you have submitted a contract bond upon which the Glens Falls Indemnity Company of Glens Falls, New York, appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with.

Finding said contract and bond in proper legal form, I have this