

This lease is executed under the general authority conferred upon you by Section 13965, General Code, and under the more special provisions of the Act of June 7, 1911, 102 O. L., 293, as amended by the later act of the 88th General Assembly passed April 5, 1929, 113 O. L., 524. By this later act, municipalities and owners of abutting property, in the order named, are given prior rights with respect to the lease of the canal lands abandoned by said act which are located in the municipality. In this situation, I assume, with respect to the lease here in question, that the village of Groveport made no application for the lease of this property within the time limited by this act and that, likewise, no owner of abutting property other than the lessee above named has now pending any application for the lease of this property which would make this lease to Russell P. Zarbaugh in any respect illegal.

With these assumptions I find, upon examination of the provisions of this lease and of the conditions and restrictions therein contained, that the same are in conformity with the statutory provisions above referred to and with other statutes relating to leases of this kind. And since it appears that this lease has been executed by you as Superintendent of Public Works and as Director of said department, and by Russell P. Zarbaugh, the lessee therein named, in the manner provided by law, I am approving this lease as is evidenced by my approval endorsed thereon and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

HERBERT S. DUFFY

Attorney General.

3148.

APPROVAL—CANAL LAND LEASE, STATE OF OHIO,
THROUGH SUPERINTENDENT OF PUBLIC WORKS,
WITH THE EAST OHIO GAS COMPANY, CLEVELAND,
OHIO, TERM FIFTEEN YEARS, ANNUAL RENTAL,
\$12.00, CERTAIN PIPE LINE GRANTS AS DESCRIBED,
PORTAGE TOWNSHIP, SUMMIT COUNTY, OHIO.

COLUMBUS, OHIO, October 28, 1938.

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

DEAR SIR: You recently submitted for my examination and approval a certain canal land lease in triplicate executed by the State of Ohio,

through you as Superintendent of Public Works and as Director of said department, to The East Ohio Gas Company of Cleveland, Ohio.

By this lease instrument, which is one for a stated term of fifteen years and which provides for an annual rental of \$12.00, there is leased and demised to said company, as the lessee therein named, the right to lay and maintain an eight-inch gas pipe line across under the Ohio Canal at or near Station 1653+84, of G. F. Silliman's Survey of said canal and being in Portage Township, Summit County, Ohio, and being a renewal of a lease granted to The East Ohio Gas Company by the State of Ohio under date of October 13, 1923.

Upon examination of this lease, I find that the same has been properly executed by you as Superintendent of Public Works and as Director of said department, acting on behalf of the State of Ohio, and by The East Ohio Gas Company, acting by the hand of the President of said Company pursuant to the authority of a resolution duly adopted by the Board of Directors of said Company under date of October 7, 1938. Upon examination of the provisions of the lease and of the conditions and restrictions therein contained, I find that the same are in conformity with the provisions of Sections 13965, et seq., General Code, and with other statutory enactments relating to leases of this kind. I am accordingly approving this lease as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof.

Respectfully,

HERBERT S. DUFFY

Attorney General.

3149.

APPROVAL—LEASE, STATE OF OHIO, THROUGH DEPARTMENT OF PUBLIC WORKS, WITH HOWARD B. MONNETT, COLUMBUS, OHIO, TERM, MONTH TO MONTH, MONTHLY RENTAL, \$125.00, SECOND FLOOR, BUILDING LOCATED NORTHEAST CORNER MAIN AND THIRD STREETS, COLUMBUS, OHIO, FOR USE, BUREAU OF MOTOR VEHICLES, DEPARTMENT OF HIGHWAYS.

COLUMBUS, OHIO, October 28, 1938.

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

DEAR SIR: You have submitted for my examination and approval a certain lease executed by Howard B. Monnett of Columbus, Ohio, in