

issued under these proceedings constitute a valid and legal obligation of said county.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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812.

APPROVAL—BONDS OF CITY OF TOLEDO, LUCAS COUNTY,  
OHIO, \$11,000.00.

COLUMBUS, OHIO, July 1, 1937.

*The Industrial Commission of Ohio, Columbus, Ohio.*

GENTLEMEN:

RE: Bonds of City of Toledo, Lucas County, Ohio,  
\$11,000.00.

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise part of an issue of playground bonds in the aggregate amount of \$26,000.00, dated March 15, 1929, bearing interest at the rate of  $4\frac{3}{4}\%$ .

From this examination, in the light of the law under authority of which these bonds have been authorized, I am of the opinion that bonds issued under these proceedings constitute a valid and legal obligation of said city.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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813.

APPROVAL—LEASE EXECUTED BY THE STATE OF OHIO  
TO ONE R. S. ALTMAN, IRWIN, PENNSYLVANIA.

COLUMBUS, OHIO, July 2, 1937.

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 to one R. S. Altman of Irwin, Pennsylvania.

This lease, which is one for a stated term of ninety-nine years, renewable forever, provides for an annual rental of \$180.00 during the first 15-year period of the term of the lease, with a provision for reappraisal of the property leased at the end of each successive 15-year period of time during the term of the lease for the purpose of determining the rental to be paid during such successive 15-year periods.

By the provisions of this lease, there is granted to the lessee above named, subject to the provisions as to the term of the lease and the annual rental thereof above referred to, the right to occupy and use for building, manufacturing, general business, water storage and agricultural purposes, the following described parcels of abandoned Miami and Erie Canal property located in Concord Township, Miami County, Ohio:

TRACT No. 1—Being known as the State Lot and beginning at the Northwest corner of Canal Lock No. 11, South of the Loramie Summit, and running thence South  $76^{\circ}$  West, 264 feet to an iron pin; thence South  $11^{\circ} 30'$  East, 732.6 feet; thence South  $85^{\circ} 30'$  East, 283.7 feet to the said canal; thence North  $13^{\circ}$  West, 774.8 feet, more or less, to the place of beginning, and containing 4.5 acres, more or less.

Excepting therefrom so much of the above described property as is occupied by the switch tracks now used by the Baltimore & Ohio Railroad Co., and the Dixie Highway, known as U. S. Route No. 25.

The above described property to be used for Building, Manufacturing and General Business purposes.

TRACT No. 2—Being all of the abandoned canal property lying immediately east of the above described property and extending from the Northerly end of said Lock No. 11, South-erly to the Northerly line of the public road crossing said canal, and containing 1.6 acres, more or less.

The above described property to be used as Basin for Water Storage, and Agricultural purposes.

TRACT No. 3—Being all of the said abandoned canal property extending from the Northerly end of said Lock No. 11,

at Station 8116-41 of H. E. Whitlock's survey of said canal property, Northerly to Station 8109, and containing three (3) acres, more or less.

Reserving therefrom the right to maintain by the Baltimore & Ohio Railroad Co. a switch track as now located at the Southwest corner of said Tract No. 3.

The above described property to be used for Agricultural, Building and Manufacturing purposes.

This lease is executed by you under the authority conferred upon you for this purpose by the DeArmond Act enacted by the 89th General Assembly, 114 O.L., 546. In approving this lease under the provisions of the act of the legislature just referred to I assume that no part of the property covered by this lease has been designated by the Director of Highways for highway purposes and I likewise assume that no application has been made for the lease of this property for park purposes by any municipal corporation or other political subdivision which, under the provisions of this act, may have prior rights with respect to the lease of the property for such purposes.

Upon examination of the lease, I find that the same has been properly executed by you as Superintendent of Public Works and as Director of said department and by R. S. Altman, the lessee therein named. I further find that the provisions of this lease and the conditions and restrictions therein contained are in conformity with the law. I am accordingly approving the lease, as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

HERBERT S. DUFFY,

*Attorney General.*

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814.

APPROVAL—WATER LEASE EXECUTED TO NEW YORK,  
CHICAGO AND ST. LOUIS RAILROAD COMPANY.

COLUMBUS, OHIO, July 2, 1937.

HON. 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