

is evidenced by my approval endorsed upon the leases and upon the duplicate and triplicate copies thereof, all of which are herewith inclosed.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1287.

CANAL LAND LEASE—STATE TO VILLAGE OF NEWCOMERSTOWN, DESIGNATED PORTION, OHIO AND ERIE CANAL, OXFORD TOWNSHIP, TUSCARAWAS COUNTY, USE, ROADWAY, PARK AND RECREATIONAL PURPOSES.

COLUMBUS, OHIO, October 11, 1939.

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 a canal land lease executed by you as Superintendent of Public Works and as Director of said department, to the Village of Newcomerstown, Newcomerstown, Tuscarawas County, Ohio.

By this lease, which is one for fifteen years, and which provides for an annual rental of \$6.00, there is leased and demised to the lessee above named, the right to occupy and use for roadway, park and recreational purposes, that portion of the abandoned Ohio and Erie Canal property including the full width of the bed and banks thereof, located in Oxford Township, Tuscarawas County, Ohio, and described as follows:

"First Tract:

Beginning at Station 2908+00, of G. C. Silliman's Survey of said canal property, and extending thence westerly with the lines of said canal property, fourteen hundred (1400') feet, more or less, to Station 2922+00, of said survey.

"Second Tract:

Being a strip of Ohio Canal property, necessary for and incidental to the extension of West Canal Street in said village, lying between Station 2903+15 and Station 2908+00, of said survey, this portion being acquired by waiver to said village by the following lessees: George H. Lyons, May Morrison and L. H. Eagon, the same being made a part of this lease and attached hereto."

Upon examination of this lease, which is executed by you under the authority of an Act of the 89th General Assembly enacted April 29, 1931, (114 O. L., 541), I find that the same has been executed by you in your official capacity above stated and by the lessee, the Village of Newcomers-town, by and through the hand of Earl Treasure, acting Mayor of said village under authority of Resolution No. 356 of the Council of said Village.

Assuming as I do, that this property has not been designated for State Highway purposes and no application for the lease of the same has been made by any of the corporations or persons having prior rights to the lease of this property under Section 8 of said Act, I find that the terms and provisions of this lease are in conformity with the above mentioned Act of the Legislature and with other related statutes. I am therefore 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 enclosed.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1288.

BONDS—CITY OF SIDNEY, SHELBY COUNTY, \$8,000.00.

COLUMBUS, OHIO, October 11, 1939.

Retirement Board, State Teachers' Retirement System, Columbus, Ohio.

GENTLEMEN:

RE: Bonds of the City of Sidney, Shelby County, Ohio,
\$8,000.00.

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise all of an issue of municipal building and equipment bonds in the aggregate amount of \$8,000, dated September 1, 1939, and bearing interest at the rate of 3% per annum.

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

Respectfully,

THOMAS J. HERBERT,
Attorney General.