

1509.

APPROVAL—CANAL LAND LEASE EXECUTED BY THE  
STATE OF OHIO TO LEWIS E. BOYER OF LOCKVILLE,  
OHIO.

COLUMBUS, OHIO, November, 22, 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 a certain canal land lease in triplicate executed by you as Superintendent of Public Works and as Director of said department to one Lewis E. Boyer of Lockville, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$24.00, there is leased and demised to the lessee above named the right to occupy and use for residence and agricultural purposes that portion of the Ohio and Erie Canal, including the full width of the bed and embankments thereof, located in the village of Lockville, Fairfield County, Ohio, which is described as follows:

Beginning at the lower end of Lock No. 11, numbering south from the Licking Summit of said canal, said lower end of Lock No. 11 being at or near Station 1656+35, of W. J. Slavin's survey of said Ohio and Erie Canal property, in the said village of Lockville, and extending thence northwesterly with the state property lines, a distance eighteen hundred and twenty-four (1824') feet, more or less, to the southeasterly line of Walnut Street in said village, which is at or near Station 1674+59, and containing five and seven-tenths (5.7) acres, more or less; also the state lot designated as Lot No. 80 of the recorded plat of said village of Lockville, and commonly known as the Lock House Lot.

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 May 31, 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 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 Lockville 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 Lewis E. Boyer 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 Lewis E. Boyer, 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.*

---

1510.

APPROVAL—CANAL LAND LEASE EXECUTED BY THE  
STATE OF OHIO TO N. G. FOREMAN OF MILLERSPORT,  
OHIO.

COLUMBUS, OHIO, November, 22, 1937.

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 you as Superintendent of Public Works and as Director of said department to one N. G. Foreman of Millersport, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$24.00, there is leased and demised to the lessee above named the right to occupy and use for store house and warehouse purposes, the spoil embankment of the