

2835.

APPROVAL BONDS OF MEDINA COUNTY, OHIO—\$15,090.33.

COLUMBUS, OHIO, January 16, 1931.

Re: Bonds of Medina County, Ohio—\$15,090.33.

Industrial Commission of Ohio, Columbus, Ohio.

GENTLEMEN:—I have examined the transcript of the proceedings of the board of county commissioners and other officers of Medina County, relative to the above issue of bonds, and find the same to be regular and in conformity with the provisions of the Constitution and General Code of Ohio.

I am of the opinion that bonds issued under the proceedings set forth in the transcript, which is an authenticated copy of the proceedings of said officials, will, upon delivery, constitute a valid and binding obligation of said county.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2836.

APPROVAL, LEASE TO OHIO CANAL LAND IN BETHLEHEM TOWNSHIP,
STARK COUNTY, OHIO FOR RAILROAD RIGHT OF WAY PURPOSES—
WHEELING AND LAKE ERIE RAILWAY COMPANY.

COLUMBUS, OHIO, January 16, 1931.

HON. A. T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your recent communication submitting for my examination and approval two certain canal land leases in triplicate, executed by the state of Ohio through you as superintendent of public works and as director of said department, by which, in consideration of the rentals therein respectively provided for, there are leased and demised to the Wheeling and Lake Erie Railway Company for railroad right of way purposes two certain parcels of abandoned Ohio Canal lands containing 1.16 acres and .177 acres respectively, the first of which parcels so leased is in Section 27, Township 9, Range 9, Bethlehem Township, Stark County, Ohio, and the second of which parcels is located in the village of Navarre, Stark County, Ohio. Each of said parcels is more particularly described by metes and bounds in the instrument of lease by which the same is leased and demised.

The leases here in question were executed by you under the authority of Amended Senate Bill 235, passed by the 88th General Assembly, April 6, 1929, which provided for the abandonment for canal purposes of that portion of the Ohio Canal, and lateral canals connected therewith, lying within Stark County, and providing for the lease and sale thereof.

In the consideration of said leases, both of which are executed to the railway company above named, I assume that the abandoned Ohio Canal, at the points indicated in said leases, has not been retained for hydraulic purposes, as provided for in said act, to be used for this purpose in a manner inconsistent with the contemplated use

of said parcels of land by the railway company. I further assume, in the consideration of said leases, that the respective parcels of abandoned Ohio Canal lands covered thereby, have not been applied for by any municipal corporation in which said parcels of land, or either of them, may be located, or by an adjacent municipal corporation or other political subdivision in said county.

Assuming this regularity upon your part in the execution of these leases, I find that the same have been properly executed in accordance with the authority of the legislature above referred to, and that the provisions of said leases are in conformity with said act and with other statutes relating to the execution of leases of this kind.

Said leases are accordingly approved by me as to legality and form, and my approval is endorsed upon said leases and upon the duplicate and triplicate copies thereof, all of which are herewith returned to you.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2837.

APPROVAL, LEASE TO OHIO CANAL PROPERTY IN AKRON, SUMMIT COUNTY, OHIO FOR RAILROAD RIGHT OF WAY PURPOSES—BALTIMORE AND OHIO RAILROAD COMPANY.

COLUMBUS, OHIO, January 16, 1931.

HON. A. T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have 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 director of said department, by which, in consideration of an annual rental of two hundred and eighty-one dollars to be paid to the state of Ohio, there is leased and demised to the Baltimore and Ohio Railroad Company, for a term of fifteen years, the right to use and occupy for railroad right of way purposes that portion of the Ohio Canal property located at Akron, Summit County, Ohio, described as follows:

“Beginning at the point where the westerly line of the lands of the Ohio Canal is intersected by the center line of the C. T. & V. Branch of the Baltimore and Ohio Railroad at Station 1845 plus 93.9; thence with said westerly line of canal lands, the following two courses; North 10 degrees, 37 minutes East 93.0 feet and North 44 degrees, 05 minutes East 9.4 feet; thence parallel to and 100.0 feet at right angles from said center line, intersecting the base line for canal property at Station 1789 plus 07.9, South 69 degrees, 08 minutes East 113.4 feet to the easterly line of said canal lands; thence with said easterly line of canal lands, the following four courses; South 28 degrees 29 minutes West 81.1 feet; intersecting with said center line at Station 1846 plus 85.3, South 15 degrees, 04 minutes West 80.2 feet; South 41 degrees, 56 minutes East 51.4 feet and South 22 degrees 12 minutes East 1.8 feet; thence parallel to and 85 feet at right angles from said center line, intersecting said base line at Station 1790 plus 98.5, North 69 degrees, 08 minutes West 141.8 feet to the westerly line of said canal lands; thence with said westerly line of canal