

to this issue was approved by this office in an opinion rendered to the Teachers Retirement System under date of December 27, 1933, being Opinion No. 2062.

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

2903.

APPROVAL—LEASE, DEPARTMENT OF PUBLIC WORKS WITH THE B. F. GOODRICH COMPANY OF AKRON, FIFTEEN YEARS, ANNUAL RENTAL, \$4,776.00, RIGHT TO OCCUPY AND USE FOR MANUFACTURING, BUSINESS AND INDUSTRIAL PURPOSES, OHIO AND ERIE CANAL PROPERTY, AKRON, SUMMIT COUNTY, OHIO.

COLUMBUS, OHIO, September 1, 1938.

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 The B. F. Goodrich Company of Akron, Ohio. By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$4,776.00, payable in semiannual installments of \$2,388.00 each, there is leased and demised to the lessee above named the right to occupy and use for manufacturing, business and industrial purposes, and for purposes incidental thereto, those portions of the Ohio and Erie Canal property, located in the city of Akron, Summit County, Ohio, which are described as follows:

TRACT NO. 1. That portion of said canal property located in said city of Akron, commencing at a line parallel to and ninety-five (95') feet, more or less, south of the south line of West Exchange Street, and extending thence southerly, including the full width of said canal property, a distance of four hundred (400') feet, more or less, to the southerly

line of Cedar Street produced, and containing thirty thousand, one hundred seven (30,107) square feet, more or less.

Excepting and reserving from the above tract, the following described tract which was released to the State of Ohio effective November 1st, 1930: Beginning at the point of intersection of the east line of Miller Street and the south line of West Exchange Street; thence south $37^{\circ} 51'$ west, along the east line of Miller Street, one hundred five and ninety-one hundredths (105.91') feet to the true place of beginning; thence north $65^{\circ} 18'$ west, twelve and sixty-three hundredths (12.63') feet, to an iron pin; thence along the state property line south $38^{\circ} 58'$ west, eighty-three (83') feet, to an iron pin; thence continuing along said property line south $42^{\circ} 46'$ west, twenty-three and thirty-four one hundredths (23.34') feet, to a point; thence south $39^{\circ} 16'$ east, twenty-seven and seventy-five hundredths (27.75') feet, to the inner face of the west wall of Lock No. 1; thence along said face, north $50^{\circ} 44'$ east, ninety-eight and thirty-eight hundredths (98.38') feet, to the southerly end of the northwesterly gate recess of said lock; thence north $39^{\circ} 16'$ west, thirty-three and sixty-seven hundredths (33.67') feet, to an iron pin; thence north $37^{\circ} 51'$ east, eleven and eighty-six hundredths (11.86') feet, to the place of beginning and containing thirty-seven hundred and one (3701) square feet, more or less, which provides a net area of twenty-six thousand, four hundred six (26,406) square feet, more or less, in Tract No. 1.

TRACT NO. 2. That portion of said canal property located in said city of Akron, commencing at the southerly line of Cedar Street produced, and extending thence southerly, including the full width of said property (75 feet in width) a distance of sixteen hundred and nineteen (1619') feet, more or less, measured along the center line of said canal, to the northerly line of Falor Street, and containing one hundred twenty-one thousand, five hundred eighty-six (121,586) square feet, more or less.

TRACT NO. 3. That portion of said canal property located in said city of Akron, commencing at the southerly line of Falor Street, and extending thence southerly, including the full width of said property (75 feet in width) a distance of eleven hundred and forty-four (1144') feet, more or less, measured along the center line of said canal to the northerly line of Bartges Street, and containing eighty-five

thousand, eight hundred thirty-three (85,833) square feet, more or less.

Upon examination of this lease, which is one executed by you as Superintendent of Public Works under the authority conferred upon you for the purpose by section 464 and sections 13965, et seq., General Code, I find that the same has been properly executed by you as Superintendent of Public Works and as Director of said department, acting for and on behalf of the State of Ohio, and by The B. F. Goodrich Company, acting by the hands of its Vice President and Secretary pursuant to the authority of a resolution of the Board of Directors of said company duly adopted under date of July 29, 1938.

I further find the provisions of this lease and the conditions and restrictions therein contained to be in conformity with the statutory provisions above noted and with other statutory provisions 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, all of which are herewith enclosed.

Respectfully,

HERBERT S. DUFFY,

Attorney General.

2904.

APPROVAL—LEASE, DEPARTMENT OF PUBLIC WORKS,
WITH THE CANAL BUILDING COMPANY OF AKRON,
OHIO, FIFTEEN YEARS, ANNUAL RENTAL \$675.00,
RIGHT TO OCCUPY AND USE PORTIONS OF THE OHIO
AND ERIE CANAL PROPERTY, WEST MARKET
STREET, AKRON, OHIO.

COLUMBUS, OHIO, September 1, 1938.

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 The Canal Building Company of Akron, Ohio. By this lease, which is one for a stated term of fifteen years and which provides for an annual