

653.

BONDS—CITY OF CLEVELAND, CUYAHOGA COUNTY,  
\$20,000.00.

COLUMBUS, OHIO, May 25, 1939.

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

GENTLEMEN :

RE: Bonds of the City of Cleveland, Cuyahoga County,  
Ohio, \$20,000.

The above purchase of bonds appears to be part of a \$1,687,000 issue of sewage disposal bonds of the above city dated August 1, 1933. The transcript relative to this issue was approved by this office in an opinion rendered to your Board under date of October 10, 1935, being Opinion No. 4780.

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

Respectfully,

THOMAS J. HERBERT,  
*Attorney General.*

654.

BONDS—CUYAHOGA COUNTY, \$2,000.00.

COLUMBUS, OHIO, May 25, 1939.

*Retirement Board, State Public School Employees Retirement System,  
Columbus, Ohio.*

GENTLEMEN :

RE: Bonds of Cuyahoga County, Ohio, \$2,000.

The above purchase of bonds appears to be part of a \$3,700,000 issue of bridge bonds of the above county dated January 1, 1938. The transcript relative to this issue was approved by this office in an opinion rendered to the State Teachers Retirement Board under date of January 6, 1939, being Opinion No. 1719.

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

Respectfully,

THOMAS J. HERBERT,  
*Attorney General.*

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655.

STATUS—CANAL LAND LEASE, MIAMI AND ERIE CANAL LANDS, EXECUTED BY STATE TO VILLAGE OF FRANKLIN, WARREN COUNTY, JANUARY 11, 1929—DEFAULT, DELINQUENCY IN PAYMENT OF RENTALS.

COLUMBUS, OHIO, May 25, 1939.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: This is to acknowledge the receipt of your recent communication in which, referring to a certain lease of Miami and Erie Canal lands executed to the Village of Franklin, Ohio, under date of January 11, 1929, and to the fact that the Council of said village had adopted a resolution authorizing and directing the Mayor and Clerk of said village to surrender this lease, you request my opinion on the question whether or not there is any legal way in which your department can cancel said lease.

The lease here in question is one executed on the date above mentioned by the then Superintendent of Public Works of the State of Ohio with the approval of the Governor and the Attorney General, by which, in consideration of the provision therein for the payment by the Village of Franklin of an annual rental therefor, which annual rental during the first fifteen-year period of the term of the lease is the sum of \$876.00, payable in semiannual installments of \$438.00 each, there is leased and demised to said village for a term of ninety-nine years, renewable forever, all of that part of the abandoned Miami and Erie Canal from the north corporation line of said village to a point six hundred feet south of the south line of Sixth Street in the village. This lease is one executed under the authority of House Bill No. 162 enacted by the Eighty-sixth General Assembly under date of April 11, 1925, 111 O. L., 208, which authorized the lease of those portions of the Miami and Erie Canal abandoned for canal purposes by said Act, for terms of fifteen years or any multiple thereof up to and including ninety years or for a term of ninety-nine years, renewable forever, subject to a reappraisal of the land covered by the lease at the end of each fifteen-year period of the lease for the purpose of determining the annual rental to be paid therefor.