

authorized to sell in conformity with the provisions of sections 13965, et seq., General Code, those portions of abandoned Hocking Canal lands in Fairfield, Hocking and Athens Counties which are still owned by the state. The authority thus conferred is subject to the further provision that any portion of said abandoned Hocking Canal that is now occupied by state highways, or that may be designated for highway purposes in any scheme of highway improvement adjacent to said canal lands shall be excepted and reserved from the more general provisions of the act providing for the sale of abandoned Hocking Canal lands. It appears in this connection, however, that before any such abandoned Hocking Canal lands shall be excepted from the power and authority of the Director of Public Works to sell the same, they shall have been designated by the Director of Highways for highway purposes within one year from the effective date of the act. This time has long since passed; and it appears from the transcript that the Director of Highways has not designated this parcel of canal lands for highway purposes. It follows, therefore, that you are authorized to sell this property and since it further appears from the transcript that the appraised value of this property is the sum of \$27.00 and that the same cannot be leased so as to produce an income equal to six per cent of the valuation of this property, you are authorized under the provisions of section 13971, General Code, to sell this property at private sale.

I am accordingly approving the sale of this property and the transcript of your proceedings relating to such sale, as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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6316.

APPROVAL—TRANSCRIPT OF PROCEEDINGS RELATING TO  
SALE OF HOCKING CANAL LANDS IN GREEN TOWN-  
SHIP, HOCKING COUNTY, OHIO, TO C. AND O. RAILWAY  
COMPANY OF RICHMOND, VA.

COLUMBUS, OHIO, November 9, 1936.

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

DEAR SIR: You have submitted for my examination and approval a transcript in duplicate of your proceedings as Superintendent of Public

Works and as Director of said Department for the sale of a parcel of Hocking Canal lands in Green Township, Hocking County, Ohio, to The Chesapeake and Ohio Railway Company of Richmond, Virginia. This parcel of land, which is in Lots Numbers 798 and 799 in Section 27, Township 13 North, Range 16 West, Ohio Company's Purchase Survey, contains .252 of an acre.

This property is being sold by you under the authority of section 14152-3, General Code, 113 O. L., 521, which provides, among other things, that the Superintendent of Public Works, as Director thereof, subject to the approval of the Governor and the Attorney General, is authorized to sell in conformity with the provisions of sections 13965, et seq., General Code, those portions of abandoned Hocking Canal lands in Fairfield, Hocking and Athens Counties which are still owned by the state. The authority thus conferred is subject to the further provision that any portion of said abandoned Hocking Canal that is now occupied by state highways, or that may be designated for highway purposes in any scheme of highway improvement adjacent to said canal lands shall be excepted and reserved from the more general provisions of the act providing for the sale of abandoned Hocking Canal lands. It appears in this connection, however, that before any such abandoned Hocking Canal lands shall be excepted from the power and authority of the Director of Public Works to sell the same, they shall have been designated by the Director of Highways for highway purposes within one year from the effective date of the act. This time has long since passed; and it appears from the transcript that the Director of Highways has not designated this parcel of canal lands for highway purposes. It follows, therefore, that you are authorized to sell this property and since it further appears from the transcript that the appraised value of this property is the sum of \$25.00 and that the same cannot be leased so as to produce an income equal to six per cent of the valuation of this property, you are authorized under the provisions of section 13971, General Code, to sell this property at private sale.

I am accordingly approving the sale of this property and the transcript of your proceedings relating to such sale, as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*