

1236.

APPROVAL, OIL AND GAS LEASE FOR LOTS IN OLIVE TOWNSHIP,  
MEIGS COUNTY, OHIO.

COLUMBUS, OHIO, November 2, 1927.

HON. JOSEPH T. TRACY, *Auditor of State, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and opinion an oil and gas lease between Joseph T. Tracy, Auditor of State, as lessor, and W. E. Daugherty, Parkersburg, West Virginia, as lessee, said lease being drawn in accordance with the authority contained in Section 3209-1, General Code, and covering lots numbers one, two and three (1, 2 and 3), in Section Twenty-nine (29), Township Three (3), Range Eleven (11), Olive Township, Meigs County, Ohio.

Finding said lease in proper legal form and properly executed, I have noted my approval thereon and am returning the same to you herewith.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

1237.

## APPROVAL, LEASE TO CANAL LANDS IN THE CITY OF DAYTON, OHIO.

COLUMBUS, OHIO, November 3, 1927.

HON. GEORGE F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for examination and approval, proposed leases, executed in triplicate, between the State of Ohio, acting through and by G. F. Schlesinger as Director of Highways and Public Works and the City of Dayton, Ohio.

These leases are designated respectively as "Lease No. 1" and "Lease No. 2," and are made pursuant to the provisions of House Bill No. 162, as passed by the 86th General Assembly, and found in 111 O. L., pages 208 to 214, both inclusive.

The first lease includes abandoned canal lands within the City of Dayton, excluding the Mad River Feeder Canal lands and in addition thereto, a strip of canal land between the north line of said city, and the south line of the old Troy pike, and also a similar tract of Miami and Erie Canal lands, that lies between the south corporation line of said city, and the northerly line of what is commonly known as the "Springboro Pike."

This lease is for the term of ninety-nine years, renewable forever, and calls for an annual rental of \$18,930.04, this sum being 4% upon the appraised value of said lands, and is payable in semi-annual installments of \$9,465.02, in advance, on the first day of May and November of each and every year during the first fifteen-year period of said lease, and thereafter, during the continuance of said lease for an annual rental equal to 4% of the reappraised value of the canal property therein leased, for each respective fifteen-year period. Said lease is dated the first day of November, 1927, and the first payment of rental therein stipulated is computed from the first day of November, 1927, to the 30th day of April, 1928.

The second lease includes all of the Mad River Feeder Canal in said City of Dayton, that lies between a line drawn at right angles to Station 3 of S. A. Buchanan's survey of the Mad River Feeder Canal in said City of Dayton, and extending south-

westerly over and along said Mad River Feeder Canal, including the full width of the bed and embankments thereof, a distance of 6,697 lineal feet, more or less, to a line drawn at right angles through Station 69 plus 97 of Buchanan's survey of said feeder and also includes all of Lot No. 424 of Cooper's addition to the City of Dayton, deeded to the State of Ohio by Louis Schenck, by deed dated August 3, 1842.

Also a one and one-half acre tract of land on the southeast side of the Mad River Feeder Canal and west of Lock No. 21, numbering south from the Loramie Summit Level of the Miami and Erie Canal that was deeded by D. Z. Cooper to the State of Ohio on December 21, 1834.

This lease differs from Lease No. 1 in that it has a clause that provides for the sale of the property under the provisions of House Bill No. 173, passed by the 87th General Assembly of Ohio (112 O. L., pages 120-122).

The lease aforesaid is for the term of ninety-nine years, renewable forever, and calls for an annual rental of \$9,019.56, being 4% upon the appraised value of said lands and is payable in semi-annual installments of \$4,509.78, in advance, on the first day of May and November of each and every year during the first fifteen-year period of said lease, and thereafter, during the continuance of said lease for an annual rental equal to 4% of the reappraised value of the canal property therein leased, for each respective fifteen-year period. Said lease is dated November 1, 1927, and the first payment of rental therein stipulated is computed from the first day of November, 1927, to the thirtieth day of April, 1928.

You have also submitted evidence that the commission of the City of Dayton has by proper legislation authorized the mayor and the clerk to enter into the leases aforesaid in behalf of said city.

I have carefully examined the leases above referred to and finding them correct in form, and legal, I hereby approve the same.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

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1238.

APPROVAL, BONDS OF MEIGS COUNTY, OHIO—\$13,000.00.

COLUMBUS, OHIO, November 3, 1927.

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

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1239.

FOREIGN CORPORATIONS—MAY RETIRE FROM THE STATE—SECRETARY OF STATE MAY ACCEPT AND FILE CERTIFICATE OF RETIREMENT AND CHARGE FEE—REPEAL OF SECTIONS 11974 AND 11978, GENERAL CODE, UNINTENTIONAL.

**SYLLABUS:**

*In view of the fact that the repeal of Sections 11974 to 11978 of the General Code, by the recent general corporation act, was clearly inadvertent and unintentional,*