

1507.

APPROVAL—CANAL LAND LEASE EXECUTED BY THE
STATE OF OHIO TO ONE BERTHA A. WISE OF NEW-
COMERSTOWN, OHIO.

COLUMBUS, OHIO, November, 22, 1937.

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

DEAR SIR: You recently 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 one Bertha A. Wise of Newcomerstown, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$6,00, there is leased and demised to the lessee above named the right to occupy and use for lawn and gardening purposes that portion of the abandoned Ohio and Erie Canal, including the full width of the bed and banks thereof, located in the village of Newcomerstown, Tuscarawas County, Ohio, which is described as follows:

Beginning at a point in the southerly line of said canal property that is one hundred and eighty-one (181') feet west of the westerly line of College Street in said Village, same being the west line of a tract of Ohio Canal property leased by the State of Ohio to Frank A. Rogers under date of August 2, 1926, and transferred to The Red Eagle Bus Company under date of April 20, 1929, and running thence westerly with said southerly line a distance of fifty-nine and fifty-five hundredths (59.55') feet, more or less, to a point opposite Station 2887+25; thence northerly through said station a distance of forty-five (45') feet, more or less, to the southerly line of a tract of Ohio Canal property leased by the State of Ohio to Albert and Henry Zimmer under date of December 15, 1922; thence easterly with the said southerly line produced of said Zimmer lease fifty-nine and fifty-five hundredths (59.55') feet, more or less, to Station 2886+67; thence southerly through said station a distance of forty-five (45') feet, more or less, to the place of beginning and containing twenty-six hundred and eighty (2680) square feet, more or less.

Upon examination of this lease, which is executed by you under the authority of an Act of the 89th General Assembly enacted April 29,

1931, 114 O. L. 541, I find that the same has been executed by you in your official capacity above stated and by Bertha A. Wise in the manner provided by law.

Assuming, as I do, that this property has not been designated for state highway purposes and that no application for the lease of the same has been made by any of the corporations or persons having prior rights to the lease of this property under Section 8 of said Act, I find that the terms and provisions of this lease and the conditions and restrictions therein contained are in conformity with the above mentioned Act of the legislature and with other related statutes, I am, therefore, 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.

1508.

APPROVAL—CANAL LAND LEASE EXECUTED BY THE
STATE OF OHIO TO BERTHA McMICHAEL OF SPEN-
CERVILLE, OHIO.

COLUMBUS, OHIO, November, 22, 1937.

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

DEAR SIR: You recently 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 one Bertha McMichael of Spencerville, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$50.00, there is leased and demised to the lessee above named the right to occupy and use for business purposes that portion of the abandoned Miami and Erie Canal property located in the village of Spencerville, Allen County, Ohio, which is described as follows:

Beginning at the southeast corner of the state lot known as the E. B. Jones' Lot located between the canal property and Broadway Street, and the north side of Sixth Street extended