

327.

LEASE—OHIO CANAL PROPERTY TO IZAAK WALTON LEAGUE OF AMERICA, COSHOCTON CHAPTER, DESIGNATED PORTION, COSHOCTON, TUSCARAWAS TOWNSHIP, COSHOCTON COUNTY.

COLUMBUS, OHIO, March 18, 1939.

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 executed by you as Superintendent of Public Works and as Director of said department to The Izaak Walton League of America, Coshocton Chapter, Coshocton, 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 propagation of fish, park and recreational purposes that portion of the Ohio Canal property, including the full width of the bed and embankments thereof located in Tuscarawas Township, Coshocton County, Ohio, and described as follows:

Beginning at the center of the road at Station 3639 + 75, of G. F. Silliman's Survey of the Ohio Canal through Coshocton County, Ohio, and extending thence in a southwesterly direction six thousand seven hundred twenty-five (6,725') feet as measured along the towing-path embankment of said canal to Station 3707 of the said Silliman Survey, and being the easterly line of a lease granted to Frank D. Johns, under date of October 1, 1923.

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 The Izaak Walton League of America, Coshocton Chapter, by the hand of its Secretary and Treasurer, acting pursuant to a resolution passed by said League under date of March 3, 1939.

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,

THOMAS J. HERBERT,
Attorney General.