

the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5963.

APPROVAL—CANAL LAND LEASE TO LAND IN TUSCARAWAS TOWNSHIP, COSHOCTON, OHIO—OHIO POWER COMPANY, NEWARK, OHIO.

COLUMBUS, OHIO, August 15, 1936.

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

DEAR SIR: By recent communication, the receipt of which is hereby acknowledged, you have submitted for my examination and approval a canal land lease in triplicate executed by you as Superintendent of Public Works to The Ohio Power Company of Newark, Ohio.

By this lease, which is one for a term of fifteen years and which provides for an annual rental of \$25.50, there is leased and demised to the lessee above named the right to erect and maintain on the abandoned Ohio Canal property in Tuscarawas Township, Coshocton County, Ohio, one high-tension pole line consisting of fourteen poles and three anchors with necessary cross-arms, wire and other incidentals pertaining thereto, which property is more particularly described in said lease and which aggregates 3170 feet, more or less.

This lease is one executed by you under the authority conferred upon you as Superintendent of Public Works by Amended Substitute Senate Bill No. 72 enacted by the 89th General Assembly, 114 O. L., 541. Assuming, as I do, that no application was made for the lease of this Ohio Canal land by any person or corporation having prior rights with respect to the lease of this property, I find that the provisions of this lease are in conformity with said act and with other statutory provisions relating to leases of this kind.

An examination of the lease shows that the same has been properly executed by you as Superintendent of Public Works and by The Ohio Power Company, the lessee above named, by the hands of its Vice President and Secretary pursuant to the authority of a resolution of the Board of Directors of said company. I am, accordingly, approving the lease as to legality and form, as is evidenced by my approval endorsed upon the

lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5964.

APPROVAL—CANAL LAND LEASE TO LAND IN TIPPECANOE CITY, OHIO.

COLUMBUS, OHIO, August 15, 1936.

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

DEAR SIR: You have submitted for my examination and approval a certain canal land lease in triplicate, executed by you as Superintendent of Public Works to Tippecanoe City, a municipal corporation located in Miami County, Ohio. By this lease, which is one for a term of ninety-nine years, renewable forever, and which provides for an annual rental of \$15.00, subject to reappraisal at the end of each fifteen-year period during the term of the lease, there is leased and demised to the municipal corporation above named the right to occupy and use for city park purposes that portion of the abandoned Miami and Erie Canal lands, including the full width of the bed and banks thereof, situated in Tippecanoe City and which is more particularly described as follows:

Beginning at the north corporation line of said city, as produced across said canal property, said corporation line produced crossing the transit line of the H. E. Whitlock Survey of said canal property at Station 8557+58.5, and running thence southerly with the lines of said canal property, eight hundred seventy-eight (878') feet, more or less, to the northerly line of the public highway, commonly known as the "Fry Road" and containing one and nine-tenths (1.9) acres, more or less.

This lease is one executed by you under the DeArmond Act, so called, 114 O. L., 546, and particularly under Sections 13 and 19 of said act, which have been carried into the General Code as Sections 14178-39 and 14178-45, respectively. Upon examination of the provisions of this lease and of the conditions and restrictions therein contained, I find that they are in conformity with the act above referred to and with the Farnsworth