

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 properly executed by you in your official capacity above stated and by The East Ohio Gas Company, the lessee therein named, by the hand of C. E. Gallagher, President of the company, acting pursuant to a resolution duly adopted by the Board of Directors of The East Ohio Gas Company under date of June 13, 1938.

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.

2656.

APPROVAL—CANAL LAND LEASE, STATE OF OHIO, THROUGH DIRECTOR, DEPARTMENT OF PUBLIC WORKS, WITH CITY OF CIRCLEVILLE, TERM FIFTEEN YEARS, ANNUAL RENTAL, \$60.00, DESCRIBED PORTION, ABANDONED OHIO AND ERIE CANAL PROPERTY, CIRCLEVILLE, OHIO, RIGHT TO OCCUPY AND USE FOR STORAGE PURPOSES.

COLUMBUS, OHIO, June 28, 1938.

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 in your official capacity as Superintendent of Public Works and as Director of said department to the City of Circleville, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$60.00, there is leased and demised to the lessee above named the right to occupy and use for storage purposes that portion of the abandoned Ohio and Erie Canal property in Circleville, Ohio, and more definitely described as follows:

Commencing at the southerly line of High Street in said city, which line crosses the said canal property at or near Station 3269 plus 00 of W. O. Sanzenbacher's Survey through said city; thence running southerly over and along the bed and embankments of the said Ohio and Erie Canal property, a distance of three hundred seventy-eight and eight-tenths (378.8') feet, more or less, to Station 3272+78.8.

Upon examination of this lease, which is executed by you under your general authority as successor to the power, authority and duties of the Board of Public Works and under the more special authority conferred by an Act of the 79th General Assembly enacted June 7, 1911, 102 O. L., 293, I find that the lease has been properly executed by you in your official capacity above stated and by the City of Circleville, Ohio, by the hand of L. E. Miller, Director of Public Service, duly authorized in the premises. I further find upon examination of this lease that the terms and provisions thereof and the conditions and restrictions therein contained are in conformity with said Act and with other statutory provisions relating to leases of this kind. I am accordingly 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.