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APPROVAL—TWO LEASES OF OHIO CANAL LAND TO W. M. BRODE OF NEWCOMERSTOWN, OHIO.

COLUMBUS, OHIO, May 8, 1936.

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

DEAR SIR: This is to acknowledge the receipt of your recent communication with which you submit for my examination and approval two Ohio Canal land leases in triplicate executed by your predecessor in office, Hon. T. S. Brindle, as Superintendent of Public Works and as Director of said Department. By one of these leases there is leased and demised to one W. M. Brode of Newcomerstown, Ohio, in consideration of the payment of an annual rental of \$40.00 and for a stated term of fifteen years, the right to occupy and use for store and warehouse purposes a parcel of abandoned Ohio Canal land located in the village of Newcomerstown, Ohio, and therein more particularly described. By the other lease above referred to, there is leased and demised to W. M. Brode, G. B. Brode, C. C. Brode and L. H. Barnett a certain other parcel of abandoned Ohio Canal located in the village of Newcomerstown, Ohio, and more particularly described in the lease, which parcel of land is likewise to be used for storage and warehouse purposes. This lease is likewise for a term of fifteen years and provides for an annual rental of twenty dollars.

Upon examination of these leases, I find that the same have been properly executed by the then Superintendent of Public Works, acting on behalf of the State of Ohio, and by the respective lessees therein named.

Upon examination of the provisions of these leases and of the conditions and restrictions therein contained, I find the same to be in conformity with the act of the 89th General Assembly providing for the abandonment of the Ohio Canal in Tuscarawas County for canal purposes, and for the lease of the lands of the canal so abandoned. 114 O. L., 541, 544. In this connection, I assume that no applications for the lease of the parcels of land covered by these respective leases were made by the village of Newcomerstown or by any other person or corporation entitled under the provisions of this act to prior rights with respect to the lease of abandoned canal lands in said village. With this assumption, I am approving these leases, as is evidenced by my approval endorsed thereon and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

JOHN W. BRICKER,
Attorney General.