

1623.

LEASE—CANAL LAND, STATE WITH BENJAMIN F. SHAW, DESIGNATED PORTION, OHIO CANAL PROPERTY, PROXIMITY STATION 3581:00, COSHOCTON COUNTY, USE, RESIDENCE AND AGRICULTURAL PURPOSES.

COLUMBUS, OHIO, December 30, 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 one Benjamin F. Shaw, R. R. No. 3, Coshocton, Ohio.

By this lease, which is one for a stated term of fifteen years, and which provides for an annual rental of \$8.00, there is leased and demised to the lessee above named the right to occupy and use for residence and agricultural purposes only, that portion of the Ohio Canal property, including the full width of the bed and embankment thereof, located in Coshocton County, Ohio, and described as follows:

“Beginning at a line drawn at right angles to the transit line of the G. F. Silliman Survey of said canal property, through Station 3581 + 00, of said survey, and running thence westerly with the lines of said canal property, three hundred (300') feet, as measured along said transit line to a line drawn at right angles to said transit line through Station 3584 + 00, and containing one and thirty-five hundredths (1.35) acres, more or less.”

Upon examination of this lease, which is executed by you under authority of an Act of the 89th General Assembly enacted April 29, 1931, 114 Ohio Laws, 541, I find the same has been executed by you in your official capacity above stated, and by Benjamin F. Shaw 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 same has been made by any of the corporations or persons having prior rights to the lease of this property under Section 8 of this 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 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.

1624.

LEASE—CANAL LAND, STATE TO LESTER DUPONT, DESIGNATED PORTION, MIAMI AND ERIE CANAL, DEFIANCE COUNTY, USE, GARDENING PURPOSES.

COLUMBUS, OHIO, December 30, 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 in triplicate executed by you as Superintendent of Public Works and as Director of said Department to one Lester Dupont, of Defiance, Ohio.

By this lease which is one for a stated term of fifteen years, and which provides for an annual rental of \$12.00, there are leased and demised to the lessee above named the right to occupy and use for gardening purposes that portion of the abandoned Miami and Erie Canal lands located in the City of Defiance, Defiance County, Ohio, and described as follows:

“Beginning at the point of intersection of the northerly line of Lot No. 2, of the Edwin Phelps Addition to said city and the westerly line of said canal property and running thence southeasterly with the northerly line of said lot produced thirty (30') feet, more or less to a point; thence at right angles to the northerly line of said lot and in a southwesterly direction sixty-six (66') feet, more or less, to the southerly line of said lot produced; thence northwesterly along the southerly line of said lot produced fourteen (14') feet, more or less, to the point of intersection of the southerly line of said lot and the westerly line of said canal property; thence northeasterly along the westerly line of said canal property, sixty-seven (67') feet, more or less, to the point of beginning and containing fourteen hundred and fifty-two (1452) square feet more or less.”

Upon examination of this lease, which is one executed by you under authority of the DeArmand Act, so-called, 114 Ohio Laws, 546, I find that the same has been executed by you in your official capacity above