

Assuming that no application for the lease of this property for park purposes has been made by any political subdivision entitled to the lease of the property for such purposes, I find that the provisions of this lease and the conditions and restrictions are in conformity with the act of the legislature above referred to, and with other statutory provisions relating to leases of this kind.

I am accordingly approving this lease, and am herewith returning the same with my approval endorsed thereon and upon the duplicate and triplicate copies thereof which are likewise herewith enclosed.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1609.

LEASE—CANAL LAND, STATE WITH LAURA T. McCANN, DESIGNATED PORTION, MIAMI AND ERIE CANAL, MAD RIVER TOWNSHIP, MONTGOMERY COUNTY, USE, RESIDENCE, FARM BUILDINGS, AGRICULTURAL AND PASTURAGE PURPOSES.

COLUMBUS, OHIO, December 28, 1939.

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 the State of Ohio, acting through you as Superintendent of Public Works and as Director of said department, to Laura T. McCann, of 315 N. Robert Boulevard, Dayton, Ohio. By this lease, which is one for a stated term of ninety-nine years, renewable forever, with a provision for revaluation of the property leased for rental purposes at the end of each fifteen year period during the term of the lease, and which during the first fifteen year period provides for an annual rental of \$48.00, there are leased and demised to the lessee above named, the right to occupy and use for residence, farm buildings, agricultural and pasturage purposes a parcel of abandoned Miami and Erie Canal lands located in Mad River Township, Montgomery County, Ohio, and described as follows:

“Beginning at the west line of the southwest quarter of section 26, town 2, range 8, M. R. S., said west line of the said southwest quarter crossing the transit line of the H. E. Whitlock Survey of said canal property of or near Station 9139 + 48, and running thence southeasterly with the lines of said canal prop-

erty, two thousand three hundred forty (2,340') feet, more or less, as measured along said transit line between Sections 26 and 25, town 2, range 8, M. R. S., thence southerly and southwesterly through the northwest quarter of section 25, town 2, range 8, M. R. S., two thousand seven hundred thirty (2,730) feet, more or less, to the south line of the said northwest quarter of said section 25, the said south line crossing the said transit line of the said Whitlock Survey at or near Station 9190 + 18, and containing twelve (12) acres, more or less."

It is noted in connection with this lease that the Director of Highways has by appropriate entries made in his office, released the above described parcel of land from his jurisdiction and control and has transferred such jurisdiction and control back to the Superintendent of Public Works.

Assuming that no application for the lease of this property has been made, pursuant to Section 14159-8, General Code, by any political subdivision, I find that this lease has been acknowledged by you as Superintendent of Public Works and as Director of said department acting for and on behalf of the State of Ohio and by the lessee, Laura T. McCann.

It further appears on an examination of the provisions of this lease and of the conditions and restrictions therein contained, that the same are in conformity with the statutory provisions above noted, under the authority of which this lease is executed, and with other statutory provisions relating to leases of this kind.

I am accordingly approving this 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,

THOMAS J. HERBERT,
Attorney General.

1610.

STATUS—TITLE, WARRANTY DEED, ETC., PURCHASE BY STATE FROM MERRITT COX AND MARGARET COX, DESIGNATED LAND, LIBERTY TOWNSHIP, ROSS COUNTY, USE, FORESTRY PRESERVATION, FIRE CONTROL PURPOSES.

COLUMBUS, OHIO, December 28, 1939.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR: This is to acknowledge the receipt of your recent communication with which you submit for my examination an abstract of title,