

1202

APPROVAL—CANAL LAND LEASE EXECUTED BY THE  
STATE OF OHIO TO ONE ROBERT H. AUGUSTUS OF  
DAYTON, OHIO.

COLUMBUS, OHIO, September 20, 1937

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 Robert H. Augustus of Dayton, Ohio.

By this lease, which is one for a stated term of fifteen years and which provides for an annual rental of \$6.00, there is leased and demised to the lessee above named the right to occupy and use for agricultural purposes that portion of the abandoned Miami and Erie Canal property, including the full width of the bed and banks thereof, located in Montgomery County, Mad River Township, and described as follows:

Beginning at a point where the easterly line of said canal property intersects the section line between sections 31 and 36 of said township; thence southwesterly along the easterly line of said canal property, a distance of two hundred eighteen (218') feet, more or less, to station 9224+51, of H. E. Whitlock's Survey of said canal property; thence westerly and right angles to said station, a distance of ninety (90') feet, more or less to the westerly line of said canal property; thence northeasterly along said westerly line of canal property, a distance of one hundred forty-four (144') feet, more or less, to said section line; thence easterly along said section to the place of beginning and containing sixteen thousand two hundred ninety (16,290) square feet, more or less.

Upon examination of this lease, which is one executed by you under the authority of the DeArmond Act, so-called, 114 O. L., 546, I find that the same has been executed by you in your official capacity above stated and by Robert H. Augustus, the lessee therein named, in the manner provided by law. Assuming, as I do, that the parcel of canal land above described has not been designated by the Director of the Department of Highways for state highway purposes, and that no appli-

cation 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 therein contained 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 I am herewith returning the same with my approval endorsed thereon and upon the duplicate and triplicate copies which are likewise herewith enclosed.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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1203

APPROVAL—BONDS OF VILLAGE OF DOVER, CUYAHOGA  
COUNTY, OHIO, \$5,000.00.

COLUMBUS, OHIO, September 20, 1937

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

GENTLEMEN :

Re: Bonds of Village of Dover, Cuyahoga County, Ohio,  
\$5,000.00.

The above purchase of bonds appears to be part of an issue of bonds of the above village dated April 1, 1936. The transcript relative to the above bond issue was approved by this office in an opinion rendered to the State State Employees Retirement Board under date of August 4, 1936, being Opinion No. 5934.

It is accordingly my opinion that these bonds constitute a valid and legal obligation of said village.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*