

As to both of the deeds above referred to, it is noted that the property and interest thereby conveyed is for a stated consideration of "One Dollar and other considerations." As to this, I am informed that as far as the State of Ohio is concerned the conveyance of these lots to it for the purpose above stated is made as a donation to the State, and that this fact accounts for the form of the consideration clause in each of these deeds. The same circumstance accounts for the fact that no contract encumbrance records and Controlling Board certificates have been submitted to me for my examination in connection with the proposed acquisition of this property.

I am herewith returning to you the abstract of title and deeds above referred to.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

---

1477.

DISAPPROVAL—TRANSCRIPT OF PROCEEDINGS RELATING  
TO SALE TO ONE HENRY HUTCHISON OF NELSON-  
VILLE, OHIO, A PARCEL OF HOCKING CANAL LANDS.

COLUMBUS, OHIO, November 18, 1937.

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 a transcript of your proceedings relating to the sale to one Henry Hutchison of Nelsonville, Ohio, of a parcel of abandoned Hocking Canal lands in Section 24, town 12 north, range 15 west, York Township, Athens County, Ohio, which parcel is more particularly bounded and described as follows:

Commencing at a point in the west corporation line of the city of Nelsonville in said city and on the south line of State Highway Route No. 31, and running thence west along the south line of said Route No. 31, a distance of three hundred sixty-nine (369') feet to an iron pin that marks the southeast corner of a lot or parcel of land owned by Pearl Leaman; thence south one hundred thirty-five (135') feet to an iron pin

that marks a point in the south line of the state canal property; thence north  $84^{\circ} 40'$  east, one hundred thirty-five (135') feet to a stake or marker that marks an angle in the south line of the state canal property; thence south  $76^{\circ} 10'$  east along the south line of said canal property, two hundred sixty-seven (267') feet, more or less, to a point in the west corporation line of the city of Nelsonville; thence north along said west corporation line, eighty (80') feet to the point of commencement and containing ninety-six hundredths (0.96) of an acre, more or less, subject to any existing gas main rights-of-way, if any, heretofore granted by the State of Ohio, and likewise subject to all existing streets and highways.

The sale of the above described parcel of canal lands is under the authority of an Act of the 88th General Assembly, 113 O. L. 521, and of Section 13971, General Code, therein referred to. From my examination of this transcript, it appears that you are unable to lease this parcel of canal lands so as to produce an income of six per cent upon the appraised value of the parcel of land here in question, which appraised value is the sum of \$125.00; and inasmuch as the appraised value of this property does not exceed the sum of \$500.00, you are authorized to sell the same at the appraised value thereof without advertising the property for sale, subject to the approval of the Governor and the Attorney General.

It appearing from this transcript that you have made all the findings of fact necessary under the law to authorize you to sell this property and that your proceedings in this matter are otherwise regular in every respect, I am approving the sale by you of the above described property and the transcript of your proceedings relating to such sale, as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof. In this connection, it is noted that the Governor has signed the original transcript but for some reason has failed to sign the duplicate copy thereof. I am herewith returning said transcript and duplicate for your further attention in closing the transaction for the sale of this property.

Respectfully,

HERBERT S. DUFFY,

*Attorney General.*