

It is accordingly my opinion that these bonds constitute valid and legal obligations of said city.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

1329.

DEED—STATE TO THE FRANKLIN REAL ESTATE COMPANY, NEWARK, DESIGNATED PORTION, OHIO CANAL LAND, GOSHEN TOWNSHIP, TUSCARAWAS COUNTY.

COLUMBUS, OHIO, October 21, 1939.

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 in duplicate of your proceedings relating to the sale of a certain parcel of abandoned Ohio Canal land to The Franklin Real Estate Company of Newark, Ohio, in and for a consideration of \$1.00, to be paid by said The Franklin Real Estate Company for such land.

The parcel of land here in question, which, together with other Ohio Canal land in this section, was abandoned for canal purposes by certain acts of the General Assembly which have been carried into the General Code as Sections 14203-90 to 14203-98 (114 Ohio Laws, 541), is located in Goshen Township, Tuscarawas County, Ohio, and is more particularly described as follows:

“Beginning at a point in the easterly property line of the Ohio Canal, same being opposite to Station 1694 + 50, in the transit line of G. F. Silliman’s Survey of said canal property; also being ninety-seven (97’) feet at right angles to Station 30 + 63.5, in the transit line of the Department of Highways Survey; thence northwesterly along said easterly property line two thousand, eight hundred forty-seven (2,847’) feet, more or less, to a point, same being opposite to Station 1666 + 33.46, of said Silliman’s Survey; also being ninety-four (94’) feet at right angles to Station 58 + 70, of said highway survey; thence southwesterly at right angles to the transit line of said highway survey, twelve (12’) feet to a point that is eighty-two (82’) feet at right angles to Station 58 + 70, of said highway survey; thence easterly four hundred and eight (408’) feet to a point that is eighty-four (84’) feet at right angles to Station 54 + 80, of

said highway survey; thence southeasterly seven hundred twenty-two (722') feet, to a point that is sixty (60') feet at right angles to Station 47 + 66, of said highway survey; thence easterly six hundred fifty-six (656') feet to a point that is sixty-five (65') feet at right angles to Station 42 + 16, of said highway survey; thence southeasterly eight hundred fifty-seven (857') feet to a point that is seventy-seven (77') feet at right angles to Station 32 + 76, of said highway survey; thence southeasterly two hundred and four (204') feet to a point that is seventy-three (73') feet at right angles to Station 30 + 63.5, of said highway survey; thence northerly at right angles to the transit line of said highway survey, twenty-four (24') feet to the point of beginning and containing 0.93 acres, more or less."

The parcel of Ohio Canal land here under consideration is being sold by you under general authority conferred upon you with respect to the sale of canal lands by Section 13971, General Code, and by the more special provisions of Section 14203-98.

Upon examination of the transcript of your proceedings relating to the sale of this land, I find that the same contains a finding of all of the jurisdictional facts necessary to the exercise of your authority to sell this land.

I find from an inquiry of your department that certain benefits inure to the State of Ohio by reason of a relocation of a highway contiguous to this property and that the Franklin Real Estate Company has property involved in said relocation and by reason of the foregoing, together with the present value of the property the consideration mentioned in the proceedings is of a nominal sum.

I am therefore approving this sale and your proceedings relating to the same, as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof, both of which are herewith returned.

Respectfully,

THOMAS J. HERBERT,
Attorney General.