

a line which is 183.18 feet north of and parallel with the south line of Lot No. 91 of Clarkson's Second Subdivision, said 183.18 feet measured along the east line of Central Avenue, said intersection being 319 feet, more or less, north of the north line of Charlotte Street; thence north along the west line of Central Parkway, 82 feet to the intersection of a line which is 262.24 feet north of and parallel with the south line of said Lot No. 91, said 262.24 feet measured along the east line of Central Avenue; thence west 23 feet, more or less, along the last described line to the west State line of the Miami and Erie Canal land; thence southwardly 83.83 feet along the said west State line to said line which is 183.18 feet north of the south line of said Lot No. 91; thence eastwardly 20 feet, more or less, to the place of beginning, and being part of Miami and Erie Canal State land and containing approximately 1795 square feet, and being all that strip of land lying between the west line of the Central Parkway, in the city of Cincinnati, Hamilton County, Ohio, and the east line of the property now owned by the grantee herein."

An examination of the transcript of your proceedings relating to the sale of this parcel of land shows that you have made all the findings and determinations now necessary to be made with respect to this property under the provisions of Section 13971, General Code, under the authority of which section and of Section 464, General Code, this sale is made.

Wholly aside from the question as to whether the provisions of Section 9 of the Act of April 20, 1927 (112 O. L. 210) do not confer upon you additional and specific authority to sell the canal land here in question, I am of the opinion that the sections of the General Code, above mentioned, confer upon you ample authority to this end, and that your proceedings are in all respects in conformity with the provisions of said sections. I am therefore approving your proceedings relating to the sale of the above described parcel of abandoned Miami and Erie Canal lands, as is evidenced by my approval endorsed upon said transcript and upon the duplicate copy thereof.

I have likewise examined the deed form of the deed to be executed by the Governor, conveying the above described parcel of land to the purchaser thereof and find the same to be in proper legal form and the same is approved, as is indicated by my approval endorsed upon said form.

I am herewith returning said transcript and the duplicate thereof, as well as the deed form submitted.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1667.

APPROVAL, TRANSCRIPT OF PROCEEDINGS TO MIAMI AND ERIE
CANAL LAND IN THE CITY OF CINCINNATI, HAMILTON COUNTY,
OHIO.

COLUMBUS, OHIO, March 24, 1930.

HON. A. T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of a recent communication with which you submitted for my examination and approval a transcript of the findings and proceedings relating to the proposed sale of a certain parcel of abandoned Miami and Erie Canal lands in the city of Cincinnati, Ohio, to James N. Gamble,

Edwin P. Gamble, Cecil H. Gamble, Sidney D. Gamble and Clarence J. Gamble, as well as a deed form of a deed to be executed by the Governor, conveying said parcel to the persons above named. The parcel of land here in question which is to be sold for a consideration in the sum of \$53.19 to be paid to the State of Ohio is more particularly described as follows:

"Being Parcel No. 7 of the Allotment of Miami and Erie Canal lands, in the city of Cincinnati, in Section 19, Millcreek Township, Hamilton County, Ohio, as surveyed and platted by the Cincinnati Rapid Transit Commission, under the direction of the Superintendent of Public Works of Ohio in the summer of 1927, and described as follows:

A tract of land in the city of Cincinnati, lying east of and adjacent to Lot No. 91 of Clarkson's Second Subdivision and bounded and described as follows: Beginning in the west line of Central Parkway at the intersection of the south line of said Lot No. 91 extended or produced eastwardly (said intersection being 128 feet, more or less, north of the north line of Charlotte Street); thence north along the west line of Central Parkway 26 feet, more or less, to the intersection of the north line of said Lot No. 91 extended or produced eastwardly; thence westwardly 15 feet, more or less, along the said north line of said Lot No. 91 extended, to the west State line of the Miami and Erie Canal land; thence southwardly along the said west State line 30 feet, more or less, to the south line of said Lot No. 91; thence eastwardly along the said south line of said Lot No. 91 extended or produced eastwardly 10 feet, more or less, to the place of beginning and being part of Miami and Erie Canal State land and containing approximately 322 square feet, and being all that strip of land lying between the west line of the Central Parkway, in the city of Cincinnati, Hamilton County, Ohio, and the east line of the property now owned by the grantee herein."

An examination of the transcript of your proceedings relating to the sale of this parcel of land shows that you have made all the findings and determinations now necessary to be made with respect to this property under the provisions of Section 13971, General Code, under the authority of which section and of Section 464, General Code, this sale is made

Wholly aside from the question as to whether the provisions of Section 9 of the Act of April 20, 1927 (112 O. L. 210) do not confer upon you additional and specific authority to sell the canal land here in question, I am of the opinion that the sections of the General Code, above mentioned, confer upon you ample authority to this end, and that your proceedings are in all respects in conformity with the provisions of said sections. I am therefore approving your proceedings relating to the sale of the above described parcel of abandoned Miami and Erie Canal lands, as is evidenced by my approval endorsed upon said transcript and upon the duplicate copy thereof.

I have likewise examined the deed form of the deed to be executed by the Governor, conveying the above described parcel of land to the purchaser thereof and find the same to be in proper legal form, and the same is approved, as is indicated by approval endorsed upon said form.

I am herewith returning said transcript and the duplicate thereof as well as the deed form submitted.

Respectfully,

GILBERT BETTMAN,

Attorney General.