

3053.

APPROVAL, FIVE LEASES TO OHIO CANAL LANDS.

COLUMBUS, OHIO, March 17, 1931.

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

DEAR SIR:—You have submitted for my examination and approval five certain canal land leases in triplicate, by which you as superintendent of public works and acting on behalf of the state of Ohio have leased and demised to the respective lessees therein named, and for terms of fifteen years each, certain parcels of Ohio Canal property, which leases, designated with reference to the names of said respective lessees, the location of the property, and the respective valuations of the lands leased, are as follows.

Ira W. Miller—Oxford Township, Tuscarawas County, Ohio—\$350.00.

Ralph Carnes—Roscoe, Coshocton County, Ohio—\$100.00.

William T. Campbell—Cass Township, Muskingum County, Ohio—\$800.00.

L. J. Ames—Roscoe, Coshocton County, Ohio—\$100.00.

Arthur Flowers—Havensport, Fairfield County, Ohio—\$100.00.

Upon examination of said leases, I find that each and all of the same have been properly executed. I likewise find that said leases, as to their form, are in conformity with the provisions of sections 13965, et seq., and other related sections of the General Code. Said leases are accordingly hereby approved by me as to their legality and form as is evidenced by my approval endorsed upon said leases and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

GILBERT BETTMAN,
Attorney General.

3054.

APPROVAL, LEASE FOR RIGHT TO LAY WATER MAIN ALONG BERM EMBANKMENT OF MIAMI AND ERIE CANAL PROPERTY IN CITY OF NAPOLEON, OHIO.

COLUMBUS, OHIO, March 17, 1931.

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

DEAR SIR:—This is to acknowledge receipt of your recent communication submitting for my examination and approval a certain canal land lease in triplicate executed by the state of Ohio through you as superintendent of public works, by which there is leased and demised to the city of Napoleon, Ohio, for the stated term of fifteen years, the right to lay and maintain one ten inch cast iron water main along the berm embankment of the Miami and Erie Canal property in said city, the termini of said water main being particularly described in said lease.

The lease here in question, which calls for an annual rental of sixty dollars

which is six per cent of the appraised value of the property leased, has been executed by you under the authority conferred upon you by sections 13965, et seq., and other related sections of the General Code providing for the execution of leases of this kind.

Upon examination of said lease I find that the same has been properly executed, and that said lease, as to form, is in conformity with the provisions of the General Code above noted. Said lease is accordingly hereby approved as to legality and form, and my approval is herewith endorsed upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

GILBERT BETTMAN,
Attorney General.

3055.

APPROVAL, LEASE TO MIAMI AND ERIE CANAL LANDS IN VILLAGE
OF SPENCERVILLE, ALLEN COUNTY, OHIO, FOR USE OF THE
CHICAGO AND ERIE RAILROAD COMPANY.

COLUMBUS, OHIO, March 17, 1931.

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

DEAR SIR:—This is to acknowledge receipt of your recent communication submitting for my examination and approval a certain canal land lease in triplicate, executed by the state of Ohio through you as superintendent of public works and as director of said department, and by which there is leased and demised to the Chicago and Erie Railroad Company a certain parcel of abandoned Miami and Erie Canal lands in the village of Spencerville, Allen County, Ohio, containing 9405 square feet, which parcel of land is more particularly described by metes and bounds in said lease.

The lease here in question, which is one for a stated term of ninety-nine years, renewable forever, and which calls for an annual rental of thirty dollars during the first fifteen year period of the term of said lease, with a provision for reappraisal at the end of each fifteen year period for the purpose of ascertaining the subsequent rental to be paid during the term of the lease, is executed by you under the authority of the provisions of House Bill No. 162, passed by the 86th General Assembly, 111 O. L. 208.

Assuming as I do that the particular parcel of abandoned Miami and Erie Canal land described in this lease has at no time been included in any application made by the village of Spencerville for the lease of abandoned Miami and Erie Canal lands within its corporate limits or contiguous thereto, I am of the opinion that said lease, as to its form and execution, is in conformity with the provisions of said act, and I am accordingly hereby approving said lease as to its legality and form, as is evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

Respectfully,

GILBERT BETTMAN,
Attorney General.