

Railroad Company will take title to this property subject to whatever rights the Conservation Division may have in the premises.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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284.

APPROVAL, CORRECTED TRANSCRIPT OF PROCEEDINGS  
RELATING TO SALE OF HOCKING CANAL LANDS IN  
GOOD HOPE TOWNSHIP, HOCKING COUNTY, OHIO—  
TO C. & O. R. R. CO.

COLUMBUS, OHIO, March 18, 1937.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR:—By communication of recent date you submitted for my examination and approval a transcript of your proceedings relating to the sale to The Chesapeake and Ohio Railroad Company of two parcels of abandoned Hocking Canal lands in Good Hope Township, Hocking County, Ohio, of which parcels one is in Section 24, Township 13 North, Range 18 West, and the other is in Sections 23 and 24, Township 13 North, Range 18 West, Ohio River Survey, and which contain .162 and .565 of an acre of land, respectively.

These parcels of abandoned Hocking Canal lands which, together, contain .727 acres have been appraised in the aggregate at a value of \$73.12. And the sale of this property is made by you under the authority of Section 13971 of the General Code as said section has been referred to and incorporated in House Bill No. 417, 113 O. L., 521, providing for the abandonment of the Hocking Canal in Fairfield, Hocking and Athens Counties, Ohio.

Section 13971, General Code, authorizes the sale of canal lands by the Superintendent of Public Works without competitive bids therefor where the appraised value of the property to be sold is \$500.00 or less, subject to the approval of the Governor and the Attorney General. Such sale can be made, however, only where it is found that such lands cannot be leased so as to produce an income yield of six per cent upon the appraised value of the property. In this connection, I note that the transcript contains a finding made by you that this property cannot be leased so as to produce the required income. In this situation, you are author-

ized to sell the property here in question and since this transcript shows that you have made the necessary findings of fact authorizing you to sell this property, I am hereby approving such sale as is evidenced by my approval endorsed upon the transcript and upon the duplicate copy thereof.

Respectfully,

HERBERT S. DUFFY,  
*Attorney General.*

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285.

APPROVAL—TRANSCRIPT OF PROCEEDINGS RELATING  
TO SALE OF HOCKING CANAL LANDS LOCATED IN  
GOOD HOPE TOWNSHIP, HOCKING COUNTY, OHIO—  
TO C. & O R. R. CO.

COLUMBUS, OHIO, March 18, 1937.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: This is to acknowledge receipt of your recent communication with which you submit for my examination and approval a transcript of your proceedings as Superintendent of Public Works and as Director of said department, relating to the sale to The Chesapeake and Ohio Railroad Company of two parcels of abandoned Hocking Canal lands located respectively in Good Hope and Marion Townships, Hocking County, Ohio, said Parcel No. 1 being situated in the northeast quarter of the southeast quarter of Section 24, Township 13 North, Range 18 West, Ohio River Survey, and said second parcel being a part of Lot No. 7 of Section 31, Township 15 North, Range 17 West of said survey. Each of these parcels is more particularly described by metes and bounds in this transcript.

The sale of the parcels of abandoned Hocking Canal lands above referred to is under the authority of House Bill No. 417, 113 O. L., 521, which provides that the Superintendent of Public Works of Ohio as Director thereof is authorized to lease or sell as he may deem best for the interests of the state in strict conformity with the provisions of Sections 13965, 13966, 13970 and 13971 of the General Code, those portions of the Hocking Canal lands abandoned by said act. Section 13971, General Code, here referred to, provides generally for the sale of canal lands when the same cannot be leased so as to produce an in-