## **OPINIONS**

this kind. Said leases are accordingly hereby approved as to legality and form as is evidenced by my authorized signature on said leases and on the duplicate and triplicate copies thereof, all of which are returned herewith.

Respectfully,

GILBERT BETTMAN, Attorney General.

2202.

## APPROVAL, LEASE TO HOCKING CANAL LAND IN GREEN TOWN-SHIP, HOCKING COUNTY, OHIO—SIDNEY B. HANKINSON, HAY-DENVILLE, OHIO.

## COLUMBUS, OHIO, August 4, 1930.

HON. ALBERT T. CONNAR, Superintendent of Public Works, Columbus, Ohio.

DEAR SIR:—There has been submitted for my examination and approval a certain lease in triplicate executed by your predecessor, Hon. R. T. Wisda, by which there is leased and demised to one Sidney R. Hankinson, of Haydenville, Ohio, a certain parcel of abandoned Hocking Canal land located in Green Township, Hocking County, Ohio, which is more particularly described as follows:

"Being all of that portion of the bed and towing-path enbankment that lies immediately southwest of Lot No. 1, of Frank Adcock's subdivision of fractional Lots 8 and 15, of Section 34, Town 13, Range 16, as shown by plat No. 20, Bruce Doughton's survey of said canal property, also Record No. 1, page 118, Determination of Boundary Lines, and extending from the easterly line of said Lot No. 1, produced, across said canal property, northwesterly to a line drawn at right angles to the southerly line of said Lot No. 1, from the southwest corner of said Lot No. 1."

This lease is one for a term of fifteen years, at an annual rental of 6% upon the appraised value of said parcel of land, and was executed under the authority of House Bill No. 417, enacted by the 88th General Assembly under date of April 5, 1929, and which went into effect on the 24th day of July, 1929.

Action upon this lease has been delayed on account of the fact that at the time of the submission of said lease to this office it could not then be determined what action the State Highway Department would take under the provisions of Section 2 of said act of the Legislature above referred to, wherein it was provided that there should be reserved from the provisions of said act any portion of said abandoned Hocking Canal land that might be designated within one year from the effective date of said act as necessary for use in any scheme of any highway improvement adjacent to said abandoned canal lands.

I am not advised that the State Highway Director has designated any portion of the above described parcel of land as land necessary to be used for highway purposes. If any such designation has been made this lease of course will be effective only as to the remainder of such parcel.

The lease being otherwise in accordance with the provisions of said act of

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the legislature, and with other statutory provisions relating to leases of this kind, the same is hereby approved, as is evidenced by my approval endorsed upon said lease and upon the duplicate and triplicate copies thereof.

> Respectfully, Gilbert Bettman, Attorney General.

2203.

## APPROVAL, LEASE TO STATE RESERVOIR LAND AT LAKE ST. MARYS—HARRY L. HIGHT.

COLUMBUS, OHIO, August 5, 1930.

HON. PERRY L. GREEN, Director of Agriculture, Columbus, Ohio.

DEAR SIR:—There has been submitted for my examination and approval a certain lease, executed by the State of Ohio, through the Conservation Commissioner, by which there is leased to one Harry L. Hight of Celina, Ohio, for a term of fifteen years at an annual rental of \$12.00, a certain parcel of state reservoir land at Lake St. Marys, which parcel of land is more particularly described as follows:

Beginning at a point that is three hundred and eighty-nine (389) feet and three (3) inches, east of the east line produced southerly to said water front, of Out Lot No. 19, in the city of Celina, Mercer County, Ohio, said point being the northeast corner of a lot now owned by Harriet Gillespie, and running thence easterly one hundred eighty-three (183) feet and nine (9) inches, as measured along the south line of East Market Street, and being a part of the southeast quarter of the northwest quarter of Section 6, Town 6, south, Range 3 east, Mercer County, Ohio, along the north shore of Lake St. Marys.

Upon an examination of said lease, I find the same to be in accordance with the provisions of Section 471, General Code, as amended by the 88th General Assembly (113 O. L. 553), and in accordance with other statutory provisions relating to leases of this kind. I am accordingly approving said lease as is evidenced by my authorized signature upon said lease and upon the duplicate and triplicate copies thereof, all of which are herewith returned.

> Respectfully, GILBERT BETTMAN, Attorney General.

2204.

APPROVAL, LEASE TO STATE RESERVOIR LAND AT INDIAN LAKE-DON A. DETRICK.

COLUMBUS, OHIO, August 5, 1930.

HON. PERRY L. GREEN, Director of Agriculture, Columbus, Ohio.

DEAR SIR:-There has been submitted for my examination and approval a certain lease in triplicate executed by the State of Ohio through the Conservation