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## ABSTRACT, STATUS OF TITLE TO PREMISES IN NORTHFIELD TOWNSHIP, SUMMIT COUNTY, OHIO.

COLUMBUS, OHIO, January 16, 1926.

HON. JOHN E. HARPER, *Director, Department of Public Welfare, Columbus, Ohio.*

DEAR SIR:—Examination of two abstracts of title, a warranty deed, encumbrance estimate and a letter of the State Director of Finance showing approval of the Controlling Board for the purchase of the premises described in the warranty deed, submitted by your department to this office for examination and formal opinion, discloses the following:

The abstracts under consideration were prepared and last certified under date of October 30, 1925, and pertain to premises situated in the township of Northfield, county of Summit and State of Ohio, and being known as a part of township lot No. 6, being in two parcels, one of 1.34 acres and another of 106.45, making a total of 107.79 acres, all of which is more particularly described in the caption of the abstracts to which this opinion is attached.

Examination of said abstracts reveals a good and merchantable title to the premises under consideration in Jacob F. J. Richey, subject to the following:

In the abstract of the 106.45 acre tract at section 8 of the last continuation there appears a grant to the East Ohio Gas Company granting a right of way to lay, maintain and operate, and remove a pipe line for the transportation of oil or gas, and erect, maintain and operate a telegraph or telephone line with ingress and egress to and from the same. Attention is directed to this grant with the suggestion that your department should determine how far, if at all, such grant of right of way will interfere or encumber the intended uses and purposes of the premises by the State of Ohio.

At section 9 of the same abstract there appears a grant to E. M. Werner of an oil and gas lease. It is suggested in this connection that your department should determine whether or not this lease is still a good, valid and subsisting lease, and if so, to what extent operations have been carried on under authority of same, and how far such operations may interfere with the intended use of the premises.

At section 10 of the same abstract, I note a transfer of the lease in question to the East Ohio Gas Company under date of May 15, 1924.

At section 11 of the same abstract there appears a further grant to the East Ohio Gas Company granting a right of way to lay, maintain, operate and remove a pipe line for the transportation of oil and gas. Attention is directed to this grant with the same suggestion as obtains with reference to the grant of right of way shown at section 8.

Attention is directed to section 12 of said abstract which shows that the taxes for the year 1924 are paid and that the taxes for the year 1925 are a lien. All taxes that are now a lien should be paid before this property is transferred to the State of Ohio.

Attention is directed to the fact that the certificate of the abstracter does not indicate anything with reference to special assessment. In this connection a further examination of the treasurer's duplicate of Summit county should be made in order to ascertain whether or not there are any outstanding special assessments against the premises under consideration, and if any appear, same should be paid and cancelled before transfer of the premises to the State of Ohio.

Examination of the abstract pertaining to the 1.34 acre tract discloses at section 13 that the taxes on said premises for the year 1924 are paid, and that the taxes for the year 1925 are a lien. All taxes now a lien against the premises under consideration should be paid before the transfer of same to the State of Ohio.

Attention is also directed to the fact that said abstract does not indicate anything with reference to special assessments against said premises, and in this connection it is suggested that a further examination of the treasurer's duplicate of Summit county should be made in order to ascertain whether or not there are any outstanding special assessments against the premises under consideration, and if any appear same should be paid and cancelled before transfer of the premises to the State of Ohio.

It is further suggested that the warranty deed as submitted will be sufficient to convey the title of the premises under consideration to the State of Ohio when properly delivered.

The encumbrance estimate bearing No. 1064 covering the premises under consideration, and showing an estimated cost of \$32,335.71, appears to be in proper form and properly certified to the Director of Finance under date of December 2, 1925.

A copy of a letter addressed to your department by the Director of Finance, in which he states that at a meeting of the Controlling Board on October 19, 1925, purchase of the premises here under consideration was approved.

The two abstracts of title, warranty deed and encumbrance estimate as submitted by your department are herewith returned.

Respectfully,  
C. C. CRABBE,  
*Attorney General.*

3079.

APPROVAL, LEASES: MIAMI AND ERIE CANAL, OHIO CANAL, LAKE ST. MARYS, BUCKEYE LAKE, TURKEY FOOT LAKE AND INDIAN LAKE.

COLUMBUS, OHIO, January 18, 1926.

*Department of Highways and Public Works, Division of Public Works, Columbus, Ohio.*

GENTLEMEN:—I have your letter of January 4, 1926, in which you inclose the following leases, in triplicate, for my approval:

MIAMI AND ERIE CANAL

	Valuation.
Delco Light Company, railroad right of way.....	\$2,000 00
Delco Light Company, railroad right of way.....	3,000 00
C. S. Eby, land lease.....	150 00
Fred Negel, land lease.....	1,666 67

OHIO CANAL

Charles R. Clark, land lease.....	\$250 00
The Pennsylvania Railroad Company, right of way.....	100 00