

3419.

STATUS—ABSTRACT OF TITLE AND OTHER INSTRUMENTS, PURCHASE BY STATE OF OHIO, THROUGH DIRECTOR OF HIGHWAYS, FROM MONT S. FLETCHER, DESIGNATED LAND IN VILLAGE OF MONTPELIER, WILLIAMS COUNTY, OHIO, PURCHASE PRICE, \$1600.00.

COLUMBUS, OHIO, December 16, 1938.

HON. IVAN R. AULT, *Director, Department of Highways, Columbus, Ohio.*

DEAR SIR: There have been submitted for my examination and approval a corrected abstract of title, warranty deed, contract encumbrance record No. 10, and other files relating to the purchase by the State of Ohio of a parcel of land which is owned of record by Mont S. Fletcher in Superior Township, Williams County, Ohio, and which is more particularly described as follows:

Known as and being a part of the west one-half of the east one-half of the east one-half of the northeast quarter of Section Eleven (11), Town seven (7) North, Range two (2) east, as lies north of the Wabash Railway Company's right of way, and more particularly described as follows: Commencing at a point in the center line of Main Street of the village of Montpelier, County of Williams, State of Ohio, three hundred twenty-eight and five-tenths (328.5) feet west of the northeast corner of Section Eleven (11) and running south 0-14' west a distance of six hundred and eighty (680) feet, thence south 89-54' west a distance of three hundred and twenty-five and five-tenths (325.5) feet, thence north a distance of four hundred and thirty five (435) feet, thence north 89-57' east a distance of one hundred and fifty (150) feet, thence north 0-09' west a distance of two hundred forty five (245) feet to a point in the center line of Main Street of the village of Montpelier, and thence north 89-48' east a distance of one hundred and seventy-nine and thirty-eight hundredths (179.38) feet along the center line of Main Street of Montpelier to the point of beginning; all bearings being referred to the magnetic meridian, and the parcel of land containing a calculated area of four and twenty-seven hundredths (4.27) acres more or less.

Upon examination of the corrected abstract of title submitted to me, which includes an abstract of certain proceedings instituted by Mont S. Fletcher in the Common Pleas Court of Williams County, Ohio, to quiet

his title to a tract of land which includes the parcel above described, I find that said Mont S. Fletcher has a good merchantable fee simple title to the above described parcel of land, and that he owns and holds the same free and clear of all encumbrances except the taxes on the property for the year 1938 which were undetermined at the time of the certification of said abstract but which, probably, have been determined by this time as against the larger tract of land owned by Mont S. Fletcher of which the parcel above described is a part. In this situation, it is suggested that the taxes on this smaller tract of land which is to be conveyed to the State of Ohio should be segregated by the county auditor and that the taxes apportioned to this parcel of land should be paid before the transaction for the purchase of the same is closed.

Upon examination of the warranty deed tendered by the said Mont. S. Fletcher, I find that this deed has been properly executed by said grantor and by his wife, Lennah Fletcher. I further find that the form of this deed is such that the same is legally sufficient to convey the above described parcel of land to the State of Ohio by fee simply title free and clear of the inchoate dower interest of said Lennah Fletcher as the wife of said grantor, and that said deed contains a covenant that the property is conveyed to the State of Ohio free and clear of all encumbrances whatsoever.

Upon examination of contract encumbrance record No. 10, I find that the same has been properly executed and that there is shown thereby a sufficient balance in the proper appropriation account to the credit of the State Highway Department to pay the purchase price of the above described parcel of land, which purchase price is the sum of Sixteen Hundred Dollars (\$1600.00). It likewise appears by way of recital in this contract encumbrance record, as well as by the certificate over the signature of the President of the Control Board that said party has approved the purchase of the above described property and, acting under the authority of Section 8 of Amended Senate Bill No. 369, has released from the appropriation account to the credit of your Department the money necessary to pay the purchase price of this property in the amount above stated.

On the considerations above noted, I am approving the title of Mont S. Fletcher to the above described parcel of land, subject only to the payment of the 1938 taxes thereon above referred to, as well as the warranty deed, contract encumbrance record No. 10, and the other files submitted to me for my examination; and these files are herewith enclosed

for your further attention in closing the transaction for the purchase of this property by the issuance of the voucher covering the purchase price of the property.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3420.

STATUS, ABSTRACT OF TITLE AND OTHER INSTRUMENTS, PURCHASE BY STATE OF OHIO, THROUGH CONSERVATION COMMISSIONER FROM ESTATE OF GEORGE P. ADDICOTT, DECEASED, DESCRIBED LANDS IN ORWELL TOWNSHIP, ASHTABULA COUNTY, OHIO, FOR GAME REFUGE, PURCHASE PRICE, \$1850.00.

COLUMBUS, OHIO, December 16, 1938.

HON. L. WOODDELL, *Conservation Commissioner, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval an abstract of title, administrator's deed, contract encumbrance record No. 37 and other files relating to the purchase of a certain 197.11-acre tract of land in Orwell Township, Ashtabula County, Ohio, which was lately owned of record by one George P. Addicott, deceased, and which was thereafter purchased by the Conservation Council for game refuge purposes under the authority conferred upon the Conservation Council to this end by the provisions of Sections 1435 and 1435-1, General Code, as well as by the provisions of the general appropriation act (Amended Senate Bill No. 369) in their application to appropriations made to the Division of Conservation.

Upon examination of the abstract of title submitted to me, I find that said George P. Addicott at the time of his death March 10, 1938, had a good and indefeasible fee simple title to said property, which is more particularly described as follows:

Premises situated in the township of Orwell, County of Ashtabula and State of Ohio, and being known as being the southwest part of Section Number Four (4) in township Number (8) Range Four (4) in the Connecticut Western Reserve, and is bounded as follows, to-wit: Bounded on the west by the west line of lot 4; bounded on the north by lands now or for-