

3666.

APPROVAL, BONDS OF BLUE ASH RURAL SCHOOL DISTRICT, HAMILTON COUNTY, OHIO—\$1,000.00.

COLUMBUS, OHIO, October 17, 1931.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

3667.

APPROVAL, BONDS OF CLEVELAND HEIGHTS VILLAGE SCHOOL DISTRICT, CUYAHOGA COUNTY, OHIO—\$14,000.00.

COLUMBUS, OHIO, October 19 1931.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

3668.

APPROVAL, ABSTRACT OF TITLE TO LAND OWNED BY THE NAPOLEON HOLDING COMPANY, IN THE VILLAGE OF NAPOLEON, HENRY COUNTY, OHIO.

COLUMBUS, OHIO, OCTOBER 19, 1931.

HON. O. W. MERRELL, *Director of Department of Highways, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your recent communication submitting for my examination and approval an abstract of title, warranty deed, encumbrance estimate No. 1354, and board of control certificate relating to the proposed purchase by the State of Ohio of a certain parcel of land in the Village of Napoleon, Henry County, Ohio, now owned of record by The Napoleon Holding Company, a corporation organized and existing under the laws of the State of Ohio.

Said parcel of land and certain additional rights granted to the State of Ohio in connection with its use of this property, are more particularly described as follows:

“A parcel of land in the Northeast fractional quarter of Section Thirteen in Township Five North of Range Six East in Henry County, Ohio, more particularly described as follows: Commencing at a point in the center of the Canal Road (so-called) in the Village of Napoleon, Ohio, Four Hundred and Sixty-three feet South 38° 30' West of the East line of said Section Thirteen aforesaid, which point is marked by an iron pin, and running thence South 38° 30' West along the center of said road a distance of One Hundred and Seventy-five feet to a point, marked by an iron pin; thence North 51° 30' West a distance of Thirty

feet to the Northerly line of said Canal Road (so-called); thence North 34° 12' West a distance of Two Hundred and Fifty-four and 86/100 feet to a point marked by an iron pin; thence North 70° 31' East a distance of One Hundred and Sixteen and 80/100 feet to a point marked by an iron pin; and thence South 51° 31' East a distance of Two Hundred and Eleven and 40/100 feet to the place of beginning, containing Eighty-two Hundredths of an acre of land, more or less, together with the privileges and appurtenances thereunto belonging, and together with all such right and privilege, in perpetuity, as said The Napoleon Holding Company may have to the use of the side-track of the Detroit, Toledo and Ironton Railway Company extending from the main track of said Railroad in the Village of Napoleon, Ohio, Northerly and Easterly across the real estate now owned by said The Napoleon Holding Company to its present Easterly terminus, such right to be exercised jointly with but not to the exclusion of said The Napoleon Holding Company, or its successors or assigns, and with the right and privilege to extend said side-track to the Westerly line of the real estate hereinbefore described."

Upon examination of said abstract of title, which was certified by the abstracter under date of September 1, 1931, I find that The Napoleon Holding Company has a good and indefeasible fee simple title to the above described property, free and clear of all encumbrances except undetermined taxes on this property for the year 1931.

Upon examination of the warranty deed submitted, I find that the same has been properly executed by The Napoleon Holding Company, acting by and through its president and secretary pursuant to a resolution of authority duly adopted by the board of directors of said company. Likewise upon examination of said deed, I find that the form and provisions of the deed are such that it is legally sufficient to convey to the State of Ohio said above described tract of land, together with the additional rights therein granted, free and clear of all encumbrances whatsoever.

Encumbrance estimate No. 1354, which has been submitted to me as a part of the files relating to the purchase of the above described property, has been properly executed and the same shows that there is a sufficient amount of money available in the appropriation account to pay the purchase price of said property, which is the sum of five hundred dollars (\$500.00).

It likewise appears from the certificate of the board of control, over the signature of the president of said board, that the purchase of the above described property has been approved by said board, and the money necessary to pay the purchase price thereof has been released for said purpose.

I am herewith returning with my approval said abstract of title, warranty deed, encumbrance record No. 1354, and controlling board certificate, all of which, together with other files submitted, I am herewith returning to you.

Respectfully,

GILBERT BETTMAN,
Attorney General.