

1714.

DISAPPROVAL, BONDS OF VILLAGE OF BEDFORD, CUYAHOGA COUNTY, \$1,000.00.

COLUMBUS, OHIO, September 4, 1924.

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

Re: Bonds of Village of Bedford, Cuyahoga County, \$1,000.00.

Gentlemen:—

I have examined the transcript furnished this department in connection with the foregoing issue of bonds, and find that I cannot approve the purchase of the same by you for the reasons set forth in the opinion rendered in connection with the \$6,000.00 issue, which has been submitted to this department under a separate resolution of purchase.

Respectfully,

C. C. CRABBE,

Attorney General.

1715.

ABSTRACT, STATUS OF TITLE, NORTH HALF OF LOT 102 OF HAMILTON'S SECOND GARDEN ADDITION, COLUMBUS, OHIO.

COLUMBUS, OHIO, September 5, 1924.

HON. CHARLES V. TRUAX, *Director of Agriculture, Columbus, Ohio.*

Dear Sir:—

This will acknowledge receipt from your department of an abstract covering the north half of Lot 102 of Hamilton's Second Garden Addition to the City of Columbus, which you submit for our examination and opinion.

Your attention is directed to the necessity of the proper certificate of the Director of Finance to the effect that there are unincumbered balances legally appropriated sufficient to cover the purchase price of the premises intended to be purchased. This certificate should accompany the abstract and must be attached to the opinion of this department approving the title before same is submitted to the state auditor.

The abstract under consideration was prepared by Adolph Haak & Co., abstracters, August 10, 1905, with continuations made thereto by Graves and Westervelt, abstracters, March 11, 1922, by Jerry Dennis, Attorney, April 10, 1923, by Graves & Westervelt, Abstracters, on June 17, 1924, and by E. M. Baldrige, Attorney, on August 18, 1924, and pertains to the following premises:

Being the north half of lot Number One Hundred and Two (102) excepting 6 feet off the rear end reserved for use as an alley in Hamilton's Second Garden Addition, as the same is numbered and delineated upon the

recorded plat thereof, of record in Plat Book 7, page 186, Recorder's Office, Franklin County, Ohio.

Upon examination of said abstract, I am of the opinion same shows a good and merchantable title to said premises in Clara V. Wooley, subject to the following exceptions:

There appear to be one or two minor deficiencies in the early history of the title, but I am of the opinion, because of a considerable lapse of time, same may be disregarded.

Attention is directed to certain restrictions against the use of the premises for the erection of any buildings to be used for slaughter houses, the killing of animals or the use of said premises for the sale of intoxicating liquors and malt beverages. These restrictions follow the premises for a period of twenty-five years from the date of the subdivision.

The abstract states no examination has been made in the United States District or Circuit Courts or any subdivision thereof.

Your attention is called to an uncanceled and unsatisfied mortgage by the present owner, Clara V. Wooley to the Buckeye State Building and Loan Company, given to secure grantor's obligation in the sum of \$950.00. A proper release showing payment of this mortgage must be procured before the final consummation of the purchase of this property.

Taxes for the year 1924, the amount of which is as yet undetermined, are a lien. The amount of the tax for the first half of the year 1924 should be determined and paid before the title is transferred.

It is suggested that the proper execution of a general warranty deed by Clara V. Wooley, a widow, will be sufficient to convey the title of said premises to the State of Ohio when properly delivered.

The abstract is herewith returned.

Respectfully,
C. C. CRABBE,
Attorney General.

1716.

TAXES AND TAXATION—GENERAL FUNDS OF COUNTY MAY NOT LEGALLY BE REIMBURSED FROM THE WATER WORKS FUND FOR ITS PROPORTION OF THE CONTRIBUTION TO THE STATE INSURANCE FUND.

SYLLABUS:

The contribution of the several subdivisions to the state insurance fund is a charge against the subdivision as a whole. There is no provision in the statute for apportioning this contribution among the several funds for which taxes are raised. The general funds of the county may not legally be reimbursed from the water-works fund for its proportion of the contribution to the state insurance fund.