

ferent roads, constructed under the provisions of Sections 6906 to 6956, both inclusive, General Code, in a single issue of bonds, unless some of the bonds so issued are special assessment bonds, in which case authority for a single issue is contained in Section 2293-24, General Code.

Respectfully,
EDWARD C. TURNER,
Attorney General.

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APPROVAL, ABSTRACT OF TITLE TO LAND IN THE CITY OF SPRINGFIELD, CLARK COUNTY, OHIO.

COLUMBUS, OHIO, September 12, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have again submitted for my opinion the abstract of title for Lots No. 97, 98 and 99 of Maplewood Addition, Subdivision 1, to the City of Springfield, Ohio, accompanied by the encumbrance estimate, certificate of auditor under date of August 29, 1927, certificate of Clark County treasurer, dated August 29, 1927.

After an examination of the abstract of title accompanied by the certificates of the treasurer and auditor of Clark County, it is my opinion that William L. Foster has a good and merchantable title in said premises, free and clear of all encumbrances and liens, except that recorded in the deed of Clarence J. Foster and Catherine M. Foster to William L. Foster, dated June 14, 1917, which I outlined in Opinion No. 867 under date of August 16, 1927, viz.:

“In the deed from Clarence J. Foster and Catherine M. Foster, his wife, to William L. Foster, dated June 14, 1917, the grant was subject to a condition or restriction that the property should not be used nor any building erected thereon for a saloon or immoral purposes, and in the event of use for such purposes or permit the same to be used, the grantee, his heirs and assigns shall forfeit all right, title and interest in the premises. The premises are also subject to the building restriction of the general improvement plan of said addition to the effect that no house shall be erected west of the D. T. & I. railroad to cost less than \$1,200.00; no house shall be erected east of the D. T. & I. railroad to cost less than \$1,000.00; and no house shall be erected on any lot in said addition nearer than 20 feet from the front lot line.”

The encumbrance estimate, numbered 1565, is dated July 26, 1927, in favor of William L. Foster and Mary Foster, his wife, and indicates that \$2,060.00 is appropriated from M. & R. account for the purchase of the land in question for a highway storage site. The encumbrance estimate has been certified by the Director of Finance and approved by yourself, the Secretary of the Controlling Board having already notified you that at a meeting of the Board on July 20, 1927, approval was granted for the purchase. The encumbrance estimate is in proper form and is approved.

The abstract, encumbrance estimate, certificate of the Clark County auditor and certificate of the Clark County treasurer are herewith returned.

Respectfully,
EDWARD C. TURNER,
Attorney General.