

2326.

APPROVAL, CERTIFICATE OF AMENDMENT TO ARTICLES OF INCORPORATION OF THE INDUSTRIAL FIRE INSURANCE COMPANY OF AKRON, OHIO.

COLUMBUS, OHIO, July 9, 1928.

HON. CLARENCE J. BROWN, *Secretary of State, Columbus, Ohio.*

DEAR SIR:—I am returning to you herewith certificate of amendment to the articles of incorporation of The Industrial Fire Insurance Company of Akron, Ohio, with my approval endorsed thereon.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2327.

TAX AND TAXATION—SISTERS OF NOTRE DAME HOLDING PROPERTY UNDER TWENTY-FIVE YEAR LEASE NOT ENTITLED TO EXEMPTION FROM TAXATION—TITLE MUST BE IN INSTITUTION OR HELD IN TRUST FOR ITS SOLE BENEFIT AND USE, EXCLUSIVELY CHARITABLE.

SYLLABUS:

To entitle institutions to hold property exempt from taxation, under Section 5353, General Code, on the ground that said property belongs to an institution used exclusively for charitable purposes, said property must be not only used exclusively for charitable purposes, but the legal title to the same must be in the institution, or held in trust for the sole use and benefit of said institution.

COLUMBUS, OHIO, July 9, 1928.

The Tax Commission of Ohio, Columbus, Ohio.

GENTLEMEN:—This will acknowledge receipt of your recent communication which reads:

“The Tax Commission of Ohio is in receipt of an application for exemption of property from taxation, said property being held under a twenty-five year lease, but used exclusively for religious purposes. This property is under lease by the Sisters of Notre Dame of Cleveland, Ohio.

In their application for exemption they also ask its exemption on the grounds of charitable and educational use. If the facts of the religious, charitable and educational use of this property is fully sustained, then the question which presents itself, is this:

Will the Ohio Statutes exempt this property from taxation, when the title remains in an individual and the organization requesting the exemption holds the property under a twenty-five year lease?

We are enclosing the application of exemption, map, letter and a copy of the lease, all of which papers the Commission desires to have returned for their files.”