

2881.

APPROVAL, ABSTRACT OF TITLE TO LAND OF L. E. McMANIS IN NILE TOWNSHIP, SCIOTO COUNTY, OHIO

COLUMBUS, OHIO, January 29, 1931.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval an abstract of title, warranty deed, encumbrance estimate No. 5842, and other files relating to the proposed purchase of three certain tracts of land owned of record by one L. E. McManis in Nile Township, Scioto County, Ohio, which tracts of land are more particularly described as follows:

"FIRST TRACT: Situate on the headwaters of Rocky Fork, Scioto County, State of Ohio, beginning at two White Oaks, the S. E. corner of A. D. Kendrick's Survey, No. 10083; thence N. 74 E. 6 poles to a Red Oak; thence S. 36 E. 26 poles to a Chestnut and White Oak; thence S. 51 E. 26 poles to a White Oak; thence S. 24 E. 20 poles to a Red Oak; thence S. 27½ E. 32 poles to a Chestnut Oak; thence S. 33 E. 13 poles to a White Oak; thence S 66½ W. 15 poles to a Gum and Hickory; thence N. 38½ W. one hundred fifteen poles to a Black Oak, the S. W. corner of Kendrick's Survey No. 10083; thence with the line thereof, N. 57 E. 15 poles to the beginning, containing 30 acres, more or less, and being part of Survey No. 15462, of the Va. Military District of Ohio.

SECOND TRACT: Situate in Nile Twp. Scioto County, Ohio, and being part of Lot No. 4 of the Ohio University, to-wit: Beginning at a White Oak on the top of a point, S. W. corner to Survey No. 10083, as established by John B. Gregory, Apr. 1878; thence along on the top of the ridge, S. 37½ W. 9½ poles to 4 Chestnut Oaks; thence S. ½ W. 8 28/100 poles to a Hickory; thence S. 10 35" W. 10 poles to a Black Locust; thence 10¾ E. 16 poles to a Pine; thence S. 34¼ E. 21.6 poles to a stone and small Sour-wood; thence S. 41¾ W. 36 rods to a Chestnut and small Black Oak; thence S. 8.20 E. 24 poles to a stone, Hickory and Black Oak on the line of said Lot No. 4; thence along said line E. 103¾ poles crossing a cove, ridge and branch to a stone in the bottom E. corner to said Lot No. 4 and S. W. corner to 15462; thence with line thereof N. 38 W. 142 poles to a stake on the S. Line of said Survey No. 10083; thence along the said line 60½ W. 3 poles to the beginning, containing 37 1/3 acres, more or less.

THIRD TRACT: Being a part of Lot No. 8 in Nile Twp. Scioto County, Ohio, beginning at a stone the S. W. corner to Survey No. 15462; thence up a branch S. 30 15" W. 60 poles to a stone on the East side of a drain; thence S. 55 45" W. 66¼ poles to a stake; thence N. 61 W. 12.4 poles to a stone; thence W. 29.7 poles to a stake; thence N. 18 W. 24 poles to a stake; thence N. 50 30" E. 14½ poles to a bunch of small Chestnuts; thence N. 75 E. 15.4 poles to Hickory; thence N. 18 E. 50 poles along said Ridge and down the same to a stake on a steep hillside, in line of Lot No. 4; thence with the line of said Lot E. 92 poles to the beginning, containing 43 acres, more or less."

Upon examination of said abstract of title which has been corrected in some particulars since the same was transmitted to this office, and which was last certified by the abstractor under date of December 31, 1930, I find that said L. E. McManis has

a good merchantable title to the above described property, free and clear of all incumbrances except the taxes on said property. The abstract of title submitted is somewhat indefinite in its statements with respect to the amount of taxes which are a lien upon said several tracts of land. It is sufficient to say that there is nothing in the abstract to show that the taxes on this property for the years 1929 and 1930 are paid. In this situation the only assumption that I can make is that said taxes are unpaid and are a lien upon the property. An adjustment of these taxes, should, of course, be made before the transaction relating to the purchase of this property is closed by the issuance of the warrant to pay the purchase price thereof.

The warranty deed tendered by said L. E. McManis has been properly executed by him and by his wife, Nelle McManis, and the form of said deed is such that it is sufficient to convey said several tracts of land to the state of Ohio by fee simple title, free and clear of the inchoate dower right and interest of said Nelle McManis, as the wife of said L. E. McManis, said deed containing the covenant that the title conveyed is free and clear of all incumbrances.

Encumbrance estimate No. 5842, covering the purchase price of the above described property, has been properly approved and executed and the same shows that there is a sufficient unincumbered balance in the appropriation account to pay the purchase price of said property.

As a part of the files relating to the purchase of this property there is likewise submitted a certificate of the board of control showing that said board, acting under the authority contained in Section 11 of House Bill No. 510 passed by the 88th General Assembly, duly approved the purchase of said property and released from the appropriation account the money necessary to pay said purchase price, which is the sum of four hundred ninety-six dollars and fifty cents.

I am herewith returning to you said abstract of title, warranty deed, encumbrance estimate No. 5842, controlling board certificate and other files relating to this matter.


Respectfully,
GILBERT BETTMAN,
Attorney General.

2882.

APPROVAL, ABSTRACT OF TITLE TO LAND OF FRANCES ALEXANDER
IN FRANKLIN TOWNSHIP, ROSS COUNTY, OHIO.

COLUMBUS, OHIO, January 29, 1931.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—There has this day been submitted for my examination and approval, an abstract of title, warranty deed, encumbrance estimate No. 803, and certificate of board of control, relating to the proposed purchase by the state of Ohio of a tract of real estate owned of record by one Frances Alexander in Franklin Township, Ross County, Ohio, which tract is more particularly described as follows: 

“Beginning at a black oak, North West corner to Harrison’s land; thence with his line N. 71 deg. E. 100 poles to a stone in said line; thence N. 48 deg. W. 60 poles to a stake; thence S. 71 deg. W. 30 poles to a stake (witness 3 white oaks); thence N. 50 deg. W. 122 poles to a stake (witness 3 black