

310.

APPROVAL, NOTES OF THORNVILLE VILLAGE SCHOOL DISTRICT,
PERRY COUNTY, OHIO—\$3,844.00.

COLUMBUS, OHIO, March 22, 1933.

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

311.

APPROVAL, NOTES OF SYLVANIA VILLAGE SCHOOL DISTRICT,
LUCAS COUNTY, OHIO—\$13,028.00.

COLUMBUS, OHIO, March 22, 1933.

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

312.

EASEMENTS—RECORDED IN RECORD OF DEEDS—NO AUTHORITY
TO RECORD EASEMENTS IN A SEPARATE BOOK.

SYLLABUS:

1. *There is no statutory authority for the county recorder to keep a separate book for recording instruments creating easements.*

2. *Easements may be created by instruments in writing for the absolute and unconditional sale or conveyance of lands, tenements and hereditaments. Under Section 2757 of the General Code, it is the county recorder's duty to record such instruments in the record of deeds.*

COLUMBUS, OHIO, March 22, 1933.

HON. F. E. CHERRINGTON, *Prosecuting Attorney, Gallipolis, Ohio.*

DEAR SIR:—I have your letter of recent date which reads as follows:

“Our County Recorder has been keeping a volume of record designated as ‘Easement Record No. 1.’ The first entry therein being under date of August 2, 1929.

“The new Recorder advises me there has been some objection on the part of some of the attorneys here to the use of this volume as there is no provision in the General Code for keeping such record and therefore the record of instruments therein are of little or no value in giving notice to purchasers of the real estate through, or over which the easement, therein recorded, is granted.

“Section 2757, G. C., does not provide for a separate volume in which to keep a record of easements, so, as above stated, at the request of the Recorder of this county, I am asking your opinion as to the legality of keeping such separate and so designated volume.