

1988.

APPROVAL, WARRANTY DEED OF CLARE ALICE WILLIARD CONVEYING TO THE STATE OF OHIO LANDS IN COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, June 13, 1930.

State Office Building Commission, Columbus, Ohio.

GENTLEMEN:—On June 11, 1930, I directed to you Opinion No. 1966 of this office, in which I found, upon an examination of the abstract of title covering fractional inlots numbers 117 and 118 in the city of Columbus, as the same are numbered and delineated on the recorded plat thereof, of record in Deed Book "F", page 332, Recorder's Office, Franklin County, Ohio, that Clare Alice Williard, sometimes known as Clara Alice Williard, has a good and indefeasible fee simple title to the above described property, free and clear of all encumbrances except certain taxes and assessments therein noted.

There has been this day submitted for my examination and approval the warranty deed of said Clare Alice Williard (sometimes written as Clara Alice Williard), who is unmarried, by which the property above described is conveyed to the State of Ohio. Upon examination of said warranty deed I find that the same has been properly executed and acknowledged by said Clare Alice Williard, and that as to form said warranty deed is sufficient to convey to the State of Ohio a fee simple title to the above described property, free and clear of all encumbrances whatsoever, except the taxes and assessments thereon due and payable on and after the June, 1930, payment.

With said warranty deed there is submitted to me encumbrance estimate No. 627 covering the purchase price of the above described property. Upon my examination of said encumbrance estimate, I find that the same has been executed in the manner required by law, and that there are sufficient balances in the proper appropriation account sufficient to pay the purchase price of said property.

Said warranty deed and encumbrance estimate are accordingly hereby approved by me, and the same, together with said abstract of title, are herewith returned to you.

Respectfully,

GILBERT BETTMAN,
Attorney General.

1989.

BOARD OF EDUCATION—RIGHT TO PURCHASE LAND WITH STIPULATION OF REVERTER UPON HAPPENING OF CERTAIN CONTINGENCY UPHELD.

SYLLABUS:

A board of education may lawfully purchase land needed for school purposes and accept a deed for said lands containing a condition subsequent with a clause of forfeiture and reversion upon the occurrence of said condition, and pay therefor from the public funds of the district.

COLUMBUS, OHIO, June 14, 1930.

HON. C. G. L. YEARICK, *Prosecuting Attorney, Newark, Ohio.*

DEAR SIR:—This will acknowledge receipt of your request for my opinion which reads as follows: