

1335.

APPROVAL; BONDS OF DE GRAFF VILLAGE SCHOOL DISTRICT, LOGAN COUNTY, OHIO, IN AMOUNT OF \$125,000.

COLUMBUS, OHIO, June 14, 1920.

Industrial Commission of Ohio, Columbus, Ohio.

1336.

STATUS OF TITLE—PREMISES IN CLINTON TOWNSHIP, FRANKLIN COUNTY, OHIO, WOOD-BROWN PLACE.

COLUMBUS, OHIO, June 15, 1920.

HON. CARL E. STEEB, *Secretary, Board of Trustees, Ohio State University, Columbus, Ohio.*

DEAR SIR:—You have submitted to this department a partial abstract, certified by Alfred Neydon & Company, June 8, 1920, and requested an opinion relative to the status of the title to the following described premises:

“Situate in the county of Franklin, in the state of Ohio, and in the township of Clinton, being lot number seventy-five (75) of Wood-Brown Place as the same is numbered and delineated on the recorded plat thereof, of record in plat book No. 5, page 196, recorder’s office, Franklin county, Ohio.”

The abstract shows that said premises are a part of Wood-Brown Place and that the plat thereof was duly approved by the commissioners of Franklin county and recorded in said county August 30, 1893. The first conveyance shown is that of Daniel W. Brown, trustee, to J. L. Porter, which instrument was executed September 20, 1893. Inasmuch as the title to the Wood-Brown Place down to the time the plat above referred to was recorded has frequently been approved by this department it is not believed that the failure of the abstract under consideration to show the chain of title prior to said date is material.

It is my opinion that said abstract discloses a good and sufficient title to said premises to be in the name of William T. S. Porter and Augustus S. Porter on the date of said abstract, subject to the taxes for the year 1920 which are undetermined, unpaid, and a lien.

The abstract further discloses that William T. S. Porter above referred to is now deceased and that his will has been duly probated in Harrison county, Ohio, and that an authenticated copy of the same has been duly admitted to record in the office of the probate court of Franklin county, and that under the provisions of said will Lura E. Porter, who is now Lura E. Porter Selway, is authorized, as executrix, to convey whatever title and interest the estate of the said William T. S. Porter has to said premises.

You are, therefore, advised that in the event the present owners of said premises desire to convey the same the said executrix should execute an executor’s deed and Augustus S. Porter and wife should execute a warranty deed.

Under the peculiar wording of the will of James Porter, as shown by the abstract, which devised the premises under consideration to the parties in whose name the said premises now stand said premises were conveyed to William T. S. Porter and Augustus

S. Porter "jointly." In view of this language it is suggested that each of the deeds heretofore referred to should describe the entire premises.

Respectfully,

JOHN G. PRICE,
Attorney-General.

1337

APPROVAL, BONDS OF VILLAGE OF GIRARD FOR STREET IMPROVEMENTS IN AMOUNT OF \$30,000

COLUMBUS, OHIO, June 16, 1920

Industrial Commission of Ohio, Columbus, Ohio

1338

DISAPPROVAL, BONDS OF BAINBRIDGE VILLAGE SCHOOL DISTRICT IN AMOUNT OF \$20,000

COLUMBUS, OHIO, June 16, 1920

Industrial Commission of Ohio, Columbus, Ohio

RE: Bonds of Bainbridge village school district in the amount of \$20,000 for the purpose of erecting and equipping an addition to the present school building, being 20 bonds of \$1,000 each—6 per cent.

Gentlemen—I have examined the transcript of the proceedings of the board of education and other officers relative to the above bond issue and decline to approve the validity of said bonds for the following reasons:

(1) Section 7625 G. C., under authority of the provisions of which an election was called by the board of education as recited in the transcript, provides as follows:

"When the board of education of any school district determines that for the proper accommodation of the schools of such district it is necessary to purchase a site or sites to erect a school house or houses, to complete a partially built schoolhouse, to enlarge, repair or furnish a schoolhouse, or to purchase real estate for playground for children, or to do any or all of such things, that the funds at its disposal or that can be raised under the provisions of sections seventy-six hundred and twenty-nine and seventy-six hundred and thirty, are not sufficient to accomplish the purpose and that a bond issue is necessary the board shall make an estimate of the probable amount of money required for such purpose or purposes and at a general election or special election called for that purpose, submit to the electors of the district the question of the issuing of bonds for the amount so estimated. Notices of the election required herein shall be given in the manner provided by law for school elections"