

Mae L. Johnson, land lease.....	100.00
A. M. Minsel, land lease.....	400.00
The Montgomery Printing Company, land lease.....	500.00
Walter J. Patten, land lease.....	750.00
Roxana Petroleum Corp., land lease.....	3,916.67
W. H. Shore, land lease.....	300.00
The Union Gas & Electric Co., land lease.....	1,933.34
Young Men's Christian Association, Piqua, Ohio, land lease.....	1,000.00

OHIO AND ERIE CANAL. Valuation.

The City of Barberton, land lease.....	\$200.00
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HOCKING CANAL. Valuation.

Wm. Lefever, land lease.....	\$700.00
Jacob T. Oberderfer, land lease.....	200.00

LAKE ST. MARYS. Valuation.

O. W. Nichols, cottage site.....	\$200.00
Andrew Wannemacher, cottage site.....	200.00
Edna Wannemacher, cottage site.....	200.00
Ferd Wannemacher, cottage site.....	200.00

INDIAN LAKE. Valuation.

Maud E. Bauman, cottage site.....	\$400.00
Martin T. Naddy, cottage site.....	300.00
J. P. Schlosser, cottage site.....	400.00
William F. Woerner, cottage site and business.....	800.00

PORTAGE LAKES. Valuation.

E. C. Forbes, boat house and landing.....	\$100.00
Robert L. King, walkaway and landing.....	150.00

BUCKEYE LAKE. Valuation.

E. H. Taylor, cottage site.....	\$200.00
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I have carefully examined the above leases, and finding them correct in form and legal, I hereby approve the same.

Respectfully,
EDWARD C. TURNER,
Attorney General.

635.

DISAPPROVAL, ABSTRACT OF TITLE TO "GUILFORD LAKE PARK"
LAND, HANOVER TOWNSHIP, COLUMBIANA COUNTY, OHIO.

COLUMBUS, OHIO, June 17, 1927.

HON. GEORGE F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination abstracts of title purport-

ing to cover the two parcels of land known as Tract No. 16, Guilford Lake Park, consisting of 48.26 acres, more or less, owned by Emerson H. Votaw and Ida B. Votaw, R. D. 4, Lisbon, Ohio.

The abstracts as submitted cover the following described real estate:

"Parcel No. 1. Situated in the southeast quarter of Section No. 1, Hanover township, Columbiana county, Ohio, and is bounded and described as follows, to wit:

Beginning on the southerly line of said Section No. 1, at a point where the center line of the north and south road running through said section, intersects said south line of said Section No. 1; thence N. 0° 06' E. along said center line of said road 921.23 feet to a stake; thence S. 86° 45' E. 126.60 feet to a stone; thence S. 8° 41' E. 353.35 feet to an iron stake; thence S. 24° 37' E. 187.40 feet to a stake; thence S. 32° 54' E. 178.70 feet to a stake; thence S. 51° 52' E. 363.00 feet to an iron stake; thence S. 84° 29' E. 348.00 feet to a stone in the south line of said Section No. 1; thence N. 89° 54' W. along the south line of said section 999.90 feet to the place of beginning and containing 6.32 acres of land be the same more or less.

Parcel No. 2. Also another tract or parcel of land situated in the northeast quarter of Section No. 12, township, county and state aforesaid that is bounded and described as follows, to wit:

Beginning on the northerly line of said Section No. 12, at a point where the center line of the north and south road running through said section intersects said north line of said Section No. 12, said point being also the southwest corner of the tract of land above described in parcel No. 1; thence S. 89° 54' E. along the north line of said Section No. 12, 999.90 feet to the northwest corner of land now owned by Levi E. Millward; thence S. 3° 11' E. along the westerly line of said Levi E. Millward's land 260.37 feet to a stake; thence S. 4° 31' W. continuing along the westerly line of said Levi E. Millward's land 663.96 feet to an iron stake; thence S. 9° 21' W. continuing along the westerly line of said Levi E. Millward's land 469.92 feet to a stake; thence S. 6° 21' W. continuing along said westerly line of said Levi E. Millward's land 316.14 feet to a stake; thence S. 53° 17' W. 889.68 feet to a stake in the center line of the north and south road running through said Section No. 12; thence N. 38° 50' W. along the center line of said road 34.32 feet to a stake; thence N. 6° 25' E. along said center line of said road 147.84 feet to a stake; thence N. 1° 35' W. along the center line of said road 264.00 feet to a stake; thence N. 24° 35' W. along said center line of said road 250.80 feet to a stake; thence N. 7° 35' W. along said center line of said road 132.00 feet to a stake; thence N. 17° 35' W. along said center line of said road 132.00 feet to a stake; thence N. 0° 28' E. along said center line of said road 1320.00 feet to the place of beginning and containing 41.92 acres of land be the same more or less, and being the same land conveyed to said grantors by James G. Hawley, et al. by deed dated _____ 1909, and recorded in Vol. 337, page 27, Record of Deeds of Columbiana county."

I have heretofore examined the abstract of title purporting to cover Parcel No. 1, containing 6.32 acres, and rendered my opinion under date of March 5, 1927. This abstract was originally prepared under date of May 19, 1926, and continued to December 24, 1926, and to May 25, 1927. Upon re-examination of said abstract I

am of the opinion that the same now shows a good, merchantable title in Emerson H. and Ida B. Votaw, subject to the following:

1. The taxes for the last half of 1926, and also for the year 1927, amount undetermined, are unpaid and a lien.

2. The abstractor's certificate shows "No examination made in U. S. Courts", and that examination was made in the name of record owners only and only for the period during which each one respectively held title.

My examination of the abstract pertaining to the second parcel consisting of 41.92 acres, discloses the following:

1. The title to 35 acres of this parcel has not been abstracted prior to 1866, when William Ritchey and wife transferred that quantity of land to James G. Hawley. However, from that time on the abstract shows a connected succession down to the present owner, Emerson H. Votaw.

2. Another portion of this parcel was occupied by the Sandy and Beaver Canal Company, for which portion there is no abstract prior to December 16, 1909, when the Hawley heirs transferred the entire 41.92 acres to M. B. and E. H. Votaw.

3. The remaining part of this parcel is involved in certain lots in the plat of the village of Guilford, which was platted about 1835 by McCook, Willard & Shriver. In December, 1909, a large number of these platted lots were vacated by the Hawley heirs, and included in this list of vacated lots are found lots Nos. 13 to 27 inclusive, which are within the boundary of the 41.92 acre parcel. So far as is disclosed by the abstract, the Hawley heirs had no title to lots 14, 16, 22 and 34.

4. The taxes for 1927, amount yet undetermined, are unpaid and a lien.

I am informed that it will be possible to secure affidavits in support of a prescriptive title in the second parcel of Tract No. 16 in the Votaws on account of open and adverse possession for a period of forty years or more, and in view of what has been said above with reference to this parcel, it is my suggestion that such affidavits be obtained.

I am returning herewith the abstract of title covering both of the above parcels, the encumbrance estimate, deed and other papers.

Respectfully,
EDWARD C. TURNER,
Attorney General.

636.

GUILFORD LAKE PARK—ACT OF MARCH 24, 1925—INTERPRETATION OF WORD "PURCHASE"—COST OF CONDEMNATION PROCEEDINGS.

SYLLABUS:

1. *Where in the Act of March 24, 1925, (111 O. L. 100) the legislature in authorizing the Director of Highways and Public Works to acquire real estate for the establishing of a state park and pleasure resort to be known as "Guilford Lake" used the word "purchase," it is presumed that the legislature used said word with full knowledge of the provisions of Section 472, General Code, and the word "purchase" as used in said act, includes the power to accept said real estate or any part thereof as a gift or to condemn the same.*

2. *The value of the real estate and the costs of the condemnation proceedings may be paid out of the fund appropriated by the legislature for the purpose of pur-*