

3362.

STATUS OF TITLE, PREMISES SITUATE IN SCIOTO COUNTY, THREE TRACTS OF LAND, OF 175, 27.50 AND 15 ACRES OF LAND, TO BE CONVEYED TO STATE FOR A GAME PRESERVE.

COLUMBUS, OHIO, July 18, 1922.

HON. L. J. TABER, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—With your communication of July 17, 1922, you submit two abstracts, prepared and certified by Joseph W. Mitchell, abstracter, on May 29, 1922, and July 1, 1922, respectively, which relate to the title to premises situate in the county of Scioto which the state desires to purchase for a game preserve, and which the following persons desire to convey to the state, in the acreages as indicated:

1. James A. Simpson.....	175	acres
2. Grant Dement.....	27.50	acres
3. James Elliott.....	15	acres

Said premises are fully described in the abstracts and deeds executed against grantors, which are enclosed herewith.

After examination, while there are a number of imperfections in the chain of title as disclosed by the early transfers, it is believed that said abstracts show sufficient title to said premises to be in the name of said parties, subject to the objections and encumbrances hereinafter referred to.

The property above indicated as No. 1, the Simpson tract, is covered by the first abstract referred to, dated May 29, 1922. The records do not disclose any title in the premises prior to 1881, when the said premises were conveyed to James A. Simpson. According to the abstract, he would be entitled to have a deed from the State University, which he has not obtained. In the event that the state purchases said property it would possess his rights in this respect. Therefore, it is not believed that the absence of a complete record title to the premises need be given serious consideration. The abstract shows a mortgage given by James A. Simpson to Charles A. Barton, executor of Thos. G. Adamson, reported in Vol. 25, page 417, of the Mortgage Records of Scioto county, which has not been released of record. However, in view of the time that has elapsed it is not believed this need be given serious consideration unless there are those who are claiming some interest in the premises by reason thereof. This is very improbable in view of the fact that another mortgage two years later was given to an administrator *de bonis non*, which was paid.

In the second abstract referred to there is a mortgage shown in section 48, dated August 1, 1895, which is unreleased of record. Said mortgage was given by Max Lindek to Edward W. Fix, and recorded in Vol. 44, page 336, and evidently related to the premises of James Elliott, described at No. 3. However, in view of the time that has elapsed it is believed that this need not be regarded as a serious objection.

The taxes for the last half of the year 1921 are unpaid and a lien upon all of said premises, according to the abstracts. The taxes for the year 1922, of course, are a lien. Under the terms of the deeds it will be necessary for the state to pay the taxes for the year 1922, and the duty of the grantors to pay the unpaid taxes for the year 1921.

An examination has been made of the deeds submitted, and it is believed that

they are sufficient to convey the interests of the present owners to the state, when properly delivered.

You have further submitted Encumbrance Estimate No. 2405, which contains the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated, aggregating \$2,675.00, to cover the purchase of the above premises.

Your attention is further directed to the fact that the abstract dated July 1, 1922, covers two other parcels of real estate, apparently owned by Charles E. Shaffer, for which there were no encumbrance estimates submitted. It is suggested that you keep track of this particular abstract for the purpose of reference to this title in the event you should desire to purchase said premises in the future.

Said abstracts, deeds and encumbrance estimate are being returned herewith.

Respectfully,
 JOHN G. PRICE,
Attorney-General.

3363.

APPROVAL, BONDS OF GUERNSEY COUNTY, \$18,100, FOR BRIDGE
 CONSTRUCTION.

COLUMBUS, OHIO, July 18, 1922.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

3364.

APPROVAL, FINAL RESOLUTIONS FOR ROAD IMPROVEMENTS IN
 SENECA, HARRISON AND SHELBY COUNTIES.

COLUMBUS, OHIO, July 19, 1922.

Department of Highways and Public Works, Division of Highways, Columbus, Ohio.