

2670.

DISAPPROVAL, BONDS OF BEDFORD VILLAGE SCHOOL DISTRICT,
CUYAHOGA COUNTY, \$36,100.00.

COLUMBUS, OHIO, July 21, 1925.

Re: Bonds of Bedford Village School District, Cuyahoga County, \$36,100.00.

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

GENTLEMEN:—I have examined the transcript for the foregoing issue of bonds and find that the affidavits of the publisher giving notice of the sale of the bonds are to the effect that the publications have been had in each instance on June 4th, 11th and 18th, 1925, and giving notice of the sale of the bonds on June 19th, 1925.

Section 2294, General Code, provides that such bonds shall be sold to the highest bidder, after being advertised once a week for three consecutive weeks and on the same day of the week.

In the case of State of Ohio vs. Kuhner and King, 107 O. S., page 406, the court held as follows:

“The requirement of section 1206, General Code, that ‘the state highway commissioner shall advertise for bids for two consecutive weeks’ is mandatory, and the contract entered on June 14 for advertisement in two weekly newspapers of the county on June 6th and June 13th is invalid.”

Applying the same rule to this issue, it must necessarily be held that these bonds have not had the advertisement for the required length of time, and for that reason the same are hereby disapproved, and you are advised not to accept said bonds.

Respectfully,

C. C. CRABBE,

Attorney General.

2671.

ABSTRACT, STATUS OF TITLE, LOT NO. 14, WOODRUFF'S SUBDIVISION,
FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, July 22, 1925.

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

DEAR SIR:—Examination of an abstract of title submitted by your office for examination discloses the following:

The abstract as submitted was originally prepared by Eugene Lane, abstractor, March 19, 1914, with a continuation thereto by Alfred Neydon & Company, abstracters, August 12, 1919, a further continuation by Wendell H. Lilly, abstractor, October 16, 1922, a further continuation by Graves and Westervelt, abstracters, September 17, 1924, and a final continuation by Robert E. Pfeiffer, attorney-at-law, July 13, 1925, and pertains to the following described premises:

Situate in the county of Franklin, state of Ohio, and in the city of Co-

lumbus, and being lot No. fourteen (14), of R. P. Woodruff's subdivision of the south half of the south half of lot No. 278 in R. P. Woodruff's Agricultural College addition to said city as the same is numbered and delineated upon the recorded plat thereof of record in plat book 3, page 421, recorder's office, Franklin county, Ohio.

The abstract as submitted, shows a good and merchantable title in the premises described in Alice M. Bowers, subject to the following exceptions:

At section 7 of the last continuation, there appears a mortgage in the sum of \$2,125.00 to the Buckeye State Building and Loan Company, payable \$22.00 per month, with interest at 6½% per annum. This mortgage is not cancelled of record, and should be so cancelled before the consummation of the purchase of the premises described.

The taxes for the whole of the year 1924 are unpaid, which together with a penalty, amount to \$50.73, and are a lien and should be paid before the transfer of these premises to the state of Ohio.

The taxes for the year 1925 are also a lien, the amount of same as yet being undetermined.

No other taxes or special assessments appear.

The proper execution and delivery of the warranty deed submitted will be sufficient to convey the premises described to the state of Ohio. A regular encumbrance estimate property certified and indicating that funds are available for the purchase of these premises has also been submitted.

The abstract of title, warranty deed and encumbrance estimate are herewith returned.

Respectfully,

C. C. CRABBE,

Attorney-General.

2672.

APPROVAL, LEASE GRANTING TO STATE OF OHIO CERTAIN PREMISES SITUATED IN MEDINA COUNTY, OHIO.

COLUMBUS, OHIO, July 23, 1925.

HON. L. A. BOULAY, *Director, Department of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration a lease whereby N. H. McClure of Medina grants to the state of Ohio for the use of the department of highways and public works certain premises situate in the village of Medina, being lot No. 41 and part of lot No. 49, for the term of two years and two months, beginning May 1, 1925. The lease further grants a certain option to purchase and is renewable at the end of the term for another five-year term, as specified therein. The said lease requires the payment of a rental of \$15.00 at the expiration of each and every calendar month during the term.

Your attention is directed to the fact that under the provisions of section 2288-1 of the General Code it will be necessary to obtain the certificate of the director of finance to the effect that funds are available for the obligations under said lease, before the same is accepted.