

1950.

APPROVAL, ABSTRACT OF TITLE TO REAL ESTATE OF WALTER E. ISALY IN COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, June 6, 1930.

The State Office Building Commission, Columbus, Ohio.

GENTLEMEN:—There has been submitted for my examination and approval an abstract of title of a certain parcel of real estate situated in the City of Columbus, Franklin County, Ohio, which is owned of record by Walter E. Isaly, Trustee, and which is more particularly described as follows:

“The south half (S. ½) of the following described property, to-wit: so much of Inlot No. 114 (as the same is known and designated on the recorded plat of said town) as the dec'd David Smith ----- seized of and which is believed to be correctly described thus: Beginning at the Southeast Corner of said lot at the corner of Front and Chapel Streets and running thence North with Front Street 62½ feet, thence West 80 feet, thence South 62½ feet, thence east with Chapel Street to the beginning. Being one half of the real estate conveyed to the said Jacob Fisher by J. N. Smith and David J. Smith, Administrators of David Smith dec'd by deed dated July 20th, A. D. 1865 and recorded in Book 97, pages 438 and 439 to which reference has been had.” (The premises herein described are the same as those conveyed by deed from Jacob Fisher to Matthias Woehrle by deed dated April 14, 1870, and recorded in deed book No. 101, page 425.)

Upon examining the said abstract of title I find that Walter E. Isaly, Trustee, the owner of record of the legal title to the above described property had a good and indefeasible legal title in and to said property, subject to the following exceptions:

(1) The taxes for the last half of the year 1929, which amount to \$188.14 and which are due and payable in June, 1930, are a lien upon said property, as are the taxes for the whole of the year 1930, the amount of which is not as yet determined.

(2) There is a balance of \$45.73 still due on the assessments levied on this property for the Front Street street improvement, which is a lien upon said property. There is likewise an assessment of \$162.74 on the above described property on account of the Front Street light improvement. No part of this assessment has been paid and the whole amount thereof is a lien upon this property. The first half of the first installment, amounting to \$16.27 is due and payable in June, 1930.

I do not find in the files submitted to me relating to the above described property any executed deed tendering the above described property to the State of Ohio. In this connection it may be observed that there is nothing in the abstract to show the terms and conditions of the trust upon which said Walter E. Isaly holds the legal title to this property; and in this situation it is suggested that the deed conveying this property to the State of Ohio should be signed and otherwise executed not only by said Walter E. Isaly, trustee, but said deed should likewise be executed and acknowledged by the persons for whom said property is held in trust by said trustee, and by their respective spouses. When such deed has been prepared and tendered, the same, together with an encumbrance estimate covering the purchase price of this property should be submitted to this office for approval.

Respectfully,

GILBERT BETTMAN,

Attorney General.