

In view of the abstract and the supplement referred to, it is my opinion that there is sufficient title shown to be in the name of said Arthur M. Ross.

There was no examination in any of the United States courts according to the abstract.

The taxes for the last half of the year 1921, amounting to \$8.81, are unpaid and a lien. The taxes for the year 1922 are a lien. The abstract does not disclose whether or not there are any special assessments.

Before accepting the conveyance you should determine that there are no matters filed of record affecting the title to said premises since the date of the abstract and that there are no special assessments operating as a lien.

You have submitted encumbrance estimate No. 3851, which contains the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in the sum of \$450.00 to cover the purchase of said premises.

The abstract, encumbrance estimate and contract are being returned herewith.

Respectfully,

JOHN G. PRICE,  
*Attorney-General.*

3438.

STATUS, ABSTRACT OF TITLE, PREMISES SITUATE IN EATON TOWNSHIP, LORAIN COUNTY, OHIO, PART OF ORIGINAL LOT No. 43, CONTAINING 30 ACRES OF LAND.

COLUMBUS, OHIO, August 1, 1922.

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

GENTLEMEN:—You have submitted an abstract last continued by the Lorain County Abstract Co., May 26, 1922, and inquired as to the status of the following described premises as disclosed by said abstract:

“Situating in the township of Eaton, county of Lorain and state of Ohio, and known as being part of original lot No. 43 in said Eaton township, bounded and described as follows:

On the south, east and west by the south, east and west lines of said lot No. 43 and on the north by land in said lot No. 43 now or formerly owned by Myron D. Ross, containing 30 acres of land.”

Said abstract was further supplemented by the Lorain Abstract Company July 30th by affidavits which are attached thereto.

After consideration it is the opinion of this department that said abstract, with the supplements attached thereto, show the title to said premises to be in the name of H. M. Howard and Minnie Howard, subject to the encumbrances hereinafter pointed out.

On page 16 of the abstract there is shown a mortgage executed by the present owners to the Grafton Savings and Banking Company dated February 27, 1920, to secure the payment of \$2,000, which is not released of record, which is a lien upon the premises and should be paid and released of record before the conveyance is accepted.

At section 3 of the 5th continuation of the abstract there is shown a lease granted upon the premises under consideration to the Ohio Fuel and Supply Company. You

should determine for yourself to what extent, if any, this lease interferes with the enjoyment of the premises.

According to the abstract the taxes for the last half of the year 1921, amounting to \$29.61, are unpaid and a lien. The taxes for the year 1922 also constitute a lien. The abstract does not disclose definitely whether or not said premises are free from special taxes and assessments. Before accepting the conveyance you should see that all the matters above mentioned are properly taken care of and determined that there are no special taxes or assessment constituting a lien and that nothing has been filed of record affecting the title to said premises since the date of the abstract.

According to the abstract there was no examination made in any of the United States courts.

You have also submitted encumbrance estimate No. 3855, which contains the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in the sum of \$6,649.80 to cover the purchase of said premises.

The said abstract, encumbrance estimate and contract are being returned herewith.

Respectfully,  
 JOHN G. PRICE,  
*Attorney-General.*

3439.

STATUS, ABSTRACT OF TITLE, PREMISES SITUATE IN EATON TOWNSHIP, LORAIN COUNTY, OHIO, PART OF ORIGINAL LOTS NOS. 37, 38, 39, 43 AND 44, BEING 241.50 ACRES OF LAND.

COLUMBUS, OHIO, August 1, 1922.

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

GENTLEMEN:—You have submitted an abstract which was last continued by the Lorain County Abstract Company, June 2, 1922, inquiring as to the status of the title to the hereinafter described premises:

“Being 241.50 acres situated in the township of Eaton, county of Lorain and state of Ohio, and being part of original lots Nos. 37, 38, 39, 43 and 44. Said premises are more fully described on the caption page of abstract No. 12937, which is enclosed herewith.”

The abstract was further supplemented by an affidavit of M. C. Ross and a certified copy of the will of David M. Marsh, deceased, and a certified copy of the final account, all of which is of record in the probate court of Cuyahoga county.

It is the opinion of this department that said abstract, with the supplements mentioned, discloses the title to said premises to be in the name of Myron D. Ross, subject to the liens hereinafter noted.

At section 146 there is shown an oil lease given upon said premises to the Ohio Fuel Supply Company, which is not cancelled of record. The lease is set forth in full and you should determine for yourself whether or not same will interfere with the enjoyment of the premises.

The taxes for the last half of the year 1921, amounting to \$146.21, are unpaid and a lien. The taxes for the year 1922 are a lien.