

595.

DISAPPROVAL, ABSTRACT OF TITLE TO BUCKEYE LAKE LAND,
FAIRFIELD COUNTY, OHIO.

COLUMBUS, OHIO, June 9, 1927.

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

GENTLEMEN:—I have examined the abstract of title, warranty deeds and encumbrance estimates relative to the proposed purchase of three tracts of land at Buckeye Lake in Fairfield county, Ohio, which it is proposed to purchase from Fred C. Lieber and Mary Lieber, his wife, Stella M. Lathem and Caroline L. Huber, respectively, for road purposes.

The abstract was prepared by Ralph Norpell, abstracter, was certified under date of March 31, 1927, and covers the following tracts of real estate:

“Situating in the state of Ohio, county of Fairfield and in the township of Walnut and bounded and described as follows:

First Parcel: Being a part of the southeast quarter of the northwest quarter of Section twenty-two (22), township number seventeen (17), range number eighteen (18) of the refugee tract and described as follows:

Being all of the land owned by Fred C. Lieber lying between the easterly line of the Buckeye lake property as owned by the state of Ohio and a line which begins at a point in the southerly line of lot number one (1) of the Fred C. Lieber allotment, as recorded in Plat Book Number Four (4), page number two (2), Fairfield County Records, that is three (3) feet westerly from the southeast corner of said lot number one (1) and running thence northwesterly through lot number one (1) and across Second Street ninety-eight and five tenths (98.5) feet, more or less, to a point in the southerly line of lot number nine (9) of said allotment that is north sixty-six (66) degrees east ten and five tenths (10.5) feet from the southwest corner of said lot number nine (9); thence northwesterly forty-three (43) feet, more or less, to a point in the southwesterly line of lot number nine (9), that is twenty-eight (28) feet southeasterly from the northwest corner of lot number nine (9); thence northwesterly with the southwesterly line of lots number nine (9) and ten (10) to an iron pipe driven at the northwest corner of lot number ten (10); thence north seventy-two (72) degrees fifty-five (55) minutes west twenty-four and fifty-five hundredths (24.55) feet to a concrete marker at Station 115° 33' of H. E. Whitlock's survey of the Borrow pit lines along the northerly bank of Buckeye Lake, said concrete marker being at Station 86° 67' of J. C. Ballard's survey of the Borrow pits along the northerly and westerly banks of said lake. The above described tract containing fifty-two hundred and eighty (5280) square feet, more or less, being 12/100 of an acre, more or less.

Second Parcel: Beginning at a point in the northerly line of the lands of Stella M. Lathem that is south sixty-six (66) degrees west one hundred twenty-one and five-tenths (121.5) feet from the northeast corner of said lands and running thence south fifty-five (55) degrees five (5) minutes east fifty-five and sixty-six hundredths (55.66) feet, more or less, to the southerly line of said lands; thence south sixty-six (66) degrees west forty and eight hundredths (40.08) feet; thence north fifty-five (55) degrees five (5) minutes west thirty-three and three tenths (33.3) feet; thence north sixty-one (61)

degrees forty-seven (47) minutes west twenty-three (23) feet, more or less, to the northerly line of said lands; thence north sixty-six (66) degrees east forty-five (45) feet to the place of beginning, and containing two thousand and sixteen (2016) square feet, more or less.

Third Parcel: Beginning at a point in the northerly line of the lands of Caroline L. Huber that is south 55° 05' east fifty-five and sixty-six (55.66) feet from a point in the southerly line of lot number one (1) of the Fred C. Lieber allotment, as recorded in Plat Book Number 4, page number 2, Fairfield County Records, that is three (3) feet westerly from the southeast corner of said lot number one (1) and running thence south 42° 08' east forty-eight and three tenths (48.3) feet; thence south 29° 50' east fifty (50) feet; thence south 19° 12' east thirty-eight and five tenths (38.5) feet, more or less, to the east line of the said southeast quarter of the northwest quarter of said Section 22; thence south with the said east line of said quarter section one hundred and one (101) feet, more or less, to the line of the Borrow pits as established by the H. E. Whitlock survey made in December, 1915; thence north 24° 10' west forty-one (41) feet, more or less, with said Borrow pit line to a concrete marker at Station 110 61.1 of the said Whitlock survey; thence north 17° 15' west forty-four and three tenths (44.3) feet; thence north 19° 12' west forty-five and five tenths (45.5) feet; thence 29° 50' west forty-two and eighty-four hundredths (42.84) feet; thence north 42° 08' west forty-two (42) feet; thence north 50° 05' west fourteen and sixty-two hundredths (14.62) feet to the northerly line of the lands of Caroline L. Huber; thence north sixty-six (66) degrees east with said northerly line forty and eight hundredths (40.08) feet to the place of beginning and containing sixty-nine hundred ninety-two (6992) square feet, more or less."

My examination of the abstract reveals the following:

1. At Items Nos. 5 and 6 appear deeds from Isaac Teegarden to Fred'k B. Hill, dated December 31, 1874, and from Fred B. Hill to Charlotte Elliott, dated March 13, 1875, respectively. There is nothing to show that at the time of these conveyances the grantors were unmarried, and if they were married, dower is not released.
2. Item No. 8 shows a deed from G. W. See, sheriff, to F. B. Hill, dated February 27, 1877. Item 31 shows a mortgage from John Elliott and wife to Fred Hill, dated March 13, 1877. Reference is made in the abstract of this mortgage to the effect that the same was foreclosed in the case of Frederick B. Hill vs. John and Charlotte Elliott, filed April 19, 1876, and numbered 4952 in the Common Pleas Court of Fairfield county, Ohio, and that the real estate was sold to Hill, as shown in Item 8 of the abstract. This foreclosure proceeding should be abstracted to show that all parties were properly in court and that the requirements of law in respect to the sale were complied with.
3. At Item No. 9 appears a deed from Frederick B. Hill to John H. and Benjamin Franklin dated March 12, 1878. There is no showing whether or not Frederick B. Hill was married at the time of this conveyance, and this fact should be shown. The same is true in respect of the deed from Matilda Hamilton to Meredith Hamilton dated April 24, 1889, appearing at Item 15.
4. Item No. 18 shows the last will and testament of Charles Huber. There is no showing in the abstract that the will was probated and no showing in regard to the administration of his estate.
5. Item No. 20 shows the will of James O. Lathem of Columbus, Ohio. Said

abstract does not contain any showing as to the probate of this will nor any administration of his estate.

6. At Item No. 23 appears the dedication of a strip of land for road purposes from Fred Lieber, unmarried, to the Fairfield County Commissioners dated September 24, 1912. This instrument refers to an "accompanying Plat." Without this Plat I am unable to determine just where the strip of land dedicated was located. The Plat or copy thereof should be attached to the abstract.

7. At Item No. 24 is shown an oil and gas lease from Fred C. Lieber and Mary Lieber, his wife, to the Ohio Fuel Supply Company, dated November 27, 1920, for a term of twenty years, and as much longer as oil, gas, etc., is produced in paying quantities. The abstract does not contain any release or cancellation of this lease.

8. The taxes for the year 1927 are a lien. The abstract does not show any examination in the federal courts.

The encumbrance estimates bear numbers 3987, 3988 and 3989, respectively, are dated April 2, 1927, and bear the certification of the Director of Finance under date of May 7, 1927. They are apparently in regular order.

The deed from Fred C. Lieber and Mary Lieber, his wife, appears in good order and is properly executed. The descriptions in the deed from Stella M. Lathem and Caroline L. Huber are faulty in that they do not sufficiently locate the property. In each case the following should precede the description appearing on the deed:

"Being a part of the southeast quarter of the northwest quarter of Section twenty-two (22), township number seventeen (17), range number eighteen (18) of the refugee tract and described as follows:"

I am returning the abstract of title, warranty deeds and encumbrance estimates to you herewith.

Respectfully,
EDWARD C. TURNER,
Attorney General.

596.

**SOCIAL WORKERS—EXPENSES OF OFFICERS AND EMPLOYEES TO
NATIONAL CONFERENCE ALLOWED—EXPENSES OF TRUSTEES
AND SUPERINTENDENT OF CHILDREN'S HOMES ALLOWED.**

SYLLABUS:

1. *Under the provisions, upon the conditions and within the limitations prescribed in Sections 1356 and 1357 of the General Code, the various officers and employees attending the National Conference of Social Workers at Cleveland May 26th to June 2nd, 1926, may be legally paid their necessary expenses in attending said conference.*

2. *Under the provisions, upon the conditions and within the limitations prescribed in Section 3087, General Code, the trustees and superintendents of children's homes may legally be allowed their necessary expenses in attending the National Conference of Social Workers held at Cleveland, Ohio, May 26th to June 2nd, 1926.*

COLUMBUS, OHIO, June 10, 1927.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—This will acknowledge receipt of your recent letter which reads: