

2831.

APPROVAL, BONDS FOR THE FAITHFUL DISCHARGE OF HIS DUTIES
AS EX-OFFICIO CUSTODIAN OF THE TEACHERS' RETIREMENT
FUND AND AS CUSTODIAN OF THE STATE INSURANCE FUNDS—
HARRY S. DAY.

COLUMBUS, OHIO, January 15, 1931.

HON. HARRY S. DAY, *Treasurer of State, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination and approval, two bonds each for the penal sum of \$100,000.00, upon which your name appears as principal.

One of said bonds upon which the Fidelity and Deposit Company, of Maryland, appears as surety, is conditioned to cover the faithful discharge of your duties as ex-officio custodian of the Teachers' Retirement fund and is given under the provisions of Section 7896-13, General Code. Said section requires you to give a separate bond for such funds "as may be fixed by the governor and with sureties to the approval of the governor." It will therefore be necessary that the governor approve said bond both as to the surety and the amount.

The other bond upon which the Hartford Accident and Indemnity Company appears as surety, is conditioned for the faithful discharge of your duties as custodian of the State Insurance Funds, and is given in pursuance of Section 1465-59, General Code, which requires you to give a bond for the security of the State Insurance funds "as may be fixed by the governor, and with sureties to his approval."

After examination of said bonds it has been found that the form thereof is in compliance with the provisions of law, and accordingly, I have endorsed thereon my approval as to form, and return the same herewith. When said bonds have been properly approved by the governor, they should be deposited with the secretary of state.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2832.

APPROVAL, ABSTRACT OF TITLE TO LAND OF MAYME A. JONES IN CITY
OF COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, January 15, 1931.

HON. CARL E. STEEB, *Business Manager, Ohio State University, Columbus, Ohio.*

DEAR SIR:—There has been submitted to me for my examination and approval an abstract of title, deed form and encumbrance estimate No. 1721, relating to the proposed purchase by the state of Ohio of a certain lot and tract of land owned of record by one Mayme A. Jones in the city of Columbus, Franklin County, Ohio, which real property is more particularly described as being lot number forty (40) of Critchfield and Warden's Subdivision of the south half of the north half of lot number two hundred and seventy-eight of (278) R. P. Woodruff's Agricultural College Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 4, pages 234 and 235, Recorder's Office, Franklin County, Ohio.

Upon examination of the abstract of title covering the above described property,

which abstract is certified by the abstracter under date of December 22, 1930, I find that said Mayme A. Jones has a good indefeasible fee simple title to the above described property, free and clear of all incumbrances except the taxes on said property for the year 1930, which taxes amount to the sum of four dollars and seventy two cents, of which amount two dollars and thirty-six cents was due and payable in December, 1930.

In my examination of the abstract I note two mortgages on the above described property which have not been satisfied of record. One of these mortgages was executed by one Ida M. Williams, the then owner of said property, to C. W. Critchfield and D. H. Warden under date of August 9, 1892, to secure the payment of three promissory notes aggregating in amount the sum of six hundred dollars. The other mortgage here referred to is one executed by one Luther A. Patten to C. W. Critchfield, D. H. Warden and O. W. Aldrich under date of April 22, 1896, to secure the payment of a promissory note in the sum of six hundred dollars. Inasmuch, however, as the obligations secured by said respective mortgages matured and became due and payable more than twenty-one years ago, and inasmuch as said mortgages were not refinanced as provided for in Section 8546-2, General Code, they have ceased to be a lien upon said property.

With the abstract of title above mentioned, there has been submitted to me a deed form of a warranty deed to be executed by said Mayme A. Jones and John A. Jones, her husband, conveying the above described property to the state of Ohio. The form of said deed is such as when the same is properly executed and acknowledged by said Mayme A. Jones and John A. Jones, her husband, it will be effective to convey the above described property to the state of Ohio by fee simple title, free and clear of the dower right of said John A. Jones in and to this property, and free and clear of all incumbrances whatsoever, except such taxes as may become due and payable on and after the June 1931 payment of taxes.

As above noted, said deed has not yet been executed and acknowledged by Mayme A. Jones and her husband, and care should be taken that this is done in the manner required by law before any warrant is issued for the payment of the purchase price of said property, and this office should be given the opportunity of examining such executed deed before the same is accepted.

Upon examination of encumbrance estimate No. 1721, which is submitted as a part of the files relating to the purchase of this property, I find that the same has been properly executed and approved and that there is shown thereby a sufficient balance in the appropriation account to pay the purchase price of said property, which purchase price is the sum of four hundred dollars.

It is likewise noted that there is a recital in said encumbrance estimate to the effect that the money necessary to pay the purchase price of this property has been released for the purpose by the board of control.

I am herewith returning to you with my approval said abstract of title, warranty deed form and encumbrance estimate No. 1721.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2833.

APPROVAL, FINAL RESOLUTION FOR EXTRA WORK ON STATE HIGHWAY IN JEFFERSON COUNTY, OHIO.

COLUMBUS, OHIO, January 15, 1931.

HON. O. W. MERRELL, *Director of Highways, Columbus, Ohio.*