

a sufficient balance in the proper appropriation account to pay the purchase price of the above described property, which purchase price is the sum of \$657.00. It likewise appears from the encumbrance record submitted that the purchase of this and other property was approved by the board of control under date of December 29, 1931.

I am herewith returning with my approval said abstract of title, warranty deed and encumbrance record No. 43.

Respectfully,

GILBERT BETTMAN,

Attorney General.

4577.

APPROVAL, ABSTRACT OF TITLE TO LAND OF A. L. SCHLIENTZ IN
RICHLAND TOWNSHIP, DEFIANCE COUNTY, OHIO.

COLUMBUS, OHIO, August 25, 1932.

HON. EARL H. HANEFELD, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a recent communication from Hon. William H. Reinhart, Commissioner of the Division of Conservation in your department, submitting for my examination and approval an abstract of title, warranty deed and encumbrance record No. 38, relating to the proposed purchase by the State of Ohio of a tract of land in Richland Township, Defiance County, Ohio, which tract of land is owned of record by A. L. Schlientz and Stephen Schlientz, and is more particularly described as follows:

Beginning at the point of intersection of the southerly property line of the Miami and Erie Canal and the north and south half section line of said section twenty-two; said point being 132.8' southerly as measured along the said half section line from the center line of U. S. Highway No. 24; thence westerly along the southerly property line of said Canal N. 89 degrees 12 minutes W., 145.8' to a point; thence N. 88 degrees 53 minutes W. 748.4' to a point in the southerly property line of the Canal; thence S. 0 degrees and 25 minutes W., 88 feet more or less, to the water line of the Maumee river; thence easterly along the northerly water line of said Maumee River 898 feet, more or less, to the above described half section line; thence N. 1 degree 05 minutes E., along said half section line, 174 feet, more or less, to the place of beginning, containing 2.75 acres of land, more or less,

and being the same premises conveyed to said A. L. Schlientz and Stephen Schlientz by George T. Patten and Hattie M. Patten, his wife, by deed dated April 11, 1908, and recorded in Volume 72 at page 417 of the deed records of Defiance County, Ohio.

Upon examination of the abstract of title of the above described property, I find that A. L. Schlientz and Stephen Schlientz have a good and indefeasible fee simple title to the above described tract of land, free and clear of all encumbrances except the taxes for the last half of the year 1931 amounting to

sixty one cents (61c), the undetermined taxes for the year 1932, and seven unpaid installments of fifty cents (50c) each of an assessment on said property for the construction of the Napoleon-Defiance I. C. H. No. 316.

Upon examination of the warranty deed tendered by A. L. Schlientz and Stephen Schlientz, both of whom are unmarried, I find that said deed has been properly executed and acknowledged by said persons above named as grantors in said deed, and that the form of this deed is such that it is sufficient to convey the above described property to the State of Ohio by full fee simple title with a covenant of warranty by said grantors and that the property is free and clear of all encumbrances whatsoever.

Encumbrance record No. 38, which has been submitted as a part of the files relating to the purchase of this property, has been properly executed and approved and the same shows that there is a sufficient balance in the proper appropriation account to pay the purchase price of the property, which purchase price is the sum of four hundred nine dollars and fifty cents (\$409.50). This encumbrance record likewise contains a recital that the purchase of this property has been approved by the board of control.

I am herewith returning with my approval said abstract of title, warranty deed and encumbrance record No. 38.

Respectfully,
GILBERT BETTMAN,
Attorney General.

4578.

APPROVAL, CONTRACT FOR ROAD IMPROVEMENT IN WARREN COUNTY, OHIO.

COLUMBUS, OHIO, August 25, 1932.

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

4579.

FIFTEEN MILL LIMITATION—SUBDIVISION MAY SUBMIT TO PEOPLE QUESTION OF VOTING OUTSIDE LIMITATION—FACT SUBDIVISION ILLEGALLY LEVIED TAX IN EXCESS OF LIMITATION IMMATERIAL.

SYLLABUS:

The taxing authority of any subdivision may submit to the electors the question of a tax levy outside of the fifteen mill limitation as provided in Section 5625-15,