

I conclude, therefore, that the grant to municipalities of the right to acquire, construct, own, lease and operate waterworks, the product of which is to be supplied to the municipality or its inhabitants as granted by Section 4 of Article XVIII of the Constitution of Ohio, is equally to municipalities that did not adopt a charter as well as to those that did adopt a charter, and includes therein the right to charge for supplying water for the use of the public school building or other public buildings in such municipality, regardless of any restrictions or any limitations on such right which the Legislature may make.

Respectfully,
EDWARD C. TURNER,
Attorney General.

2127.

APPROVAL, ABSTRACT OF TITLE TO LAND OF E. W. LONG, IN CADIZ TOWNSHIP, HARRISON COUNTY, OHIO.

COLUMBUS, OHIO, May 18, 1928.

HON. GEORGE F. SCHLESINGER, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—In Opinion No. 2054 under date of May 5, 1928, this department had under consideration an abstract of title and a warranty deed executed by one E. W. Long, covering certain property situated in Cadiz Township, Harrison County, Ohio, and which is more particularly described in said former opinion.

As you will note from the opinion of this department above referred to, I was unable to approve the title on the abstract then submitted, by reason of the objections therein pointed out. I was also unable to approve the deed tendered by Mr. Long for the reason that the same named the Division of Highways of the State of Ohio as the grantee therein.

There has been submitted to me an additional or supplemental abstract containing information which in my opinion quite effectually obviates the objections to the title noted in said former opinion. Likewise, the objection made by me to the former deed tendered by Mr. Long has been obviated by a new deed which has been signed, acknowledged and in other respects properly executed by said E. W. Long and Alberta B. Long, his wife, in which the premises here in question are conveyed directly to the State of Ohio, its successors and assigns.

I am therefore of the opinion that said E. W. Long has a good and merchantable fee simple title to the premises here in question, subject only to the lien of taxes for the last half of the year 1927, the amount of which is stated by the abstracter as \$2.98, and subject to the lien of taxes for the year 1928, the amount of which is yet undetermined. The new deed tendered by said E. W. Long is likewise hereby approved.

The encumbrance estimate and Controlling Board's certificate with respect to the purchase of this property were examined and approved by me in the former opinion of this department above referred to.

I am herewith returning to you the original abstract of title, the supplement thereto and the warranty deed of said E. W. Long and wife.

Respectfully,
EDWARD C. TURNER,
Attorney General.