

2763.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE BRYCE HEATING AND VENTILATING COMPANY, TOLEDO, OHIO, FOR CONSTRUCTION OF PLUMBING FOR DAIRY BARN, TOLEDO STATE HOSPITAL, TOLEDO, OHIO, AT AN EXPENDITURE OF \$1,822.00—SURETY BOND EXECUTED BY THE SOUTHERN SURETY COMPANY.

COLUMBUS, OHIO, October 19, 1928.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Department of Public Welfare, and the Bryce Heating and Ventilating Company, Toledo, Ohio. This contract covers the construction and completion of Plumbing, Drains and Sewers for Dairy Barn, Toledo State Hospital, Toledo, Ohio, and calls for an expenditure of one thousand eight hundred and twenty-two dollars (\$1,822.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also furnished evidence to the effect that the consent and approval of the Controlling Board to the expenditure have been obtained as required by Section 12 of House Bill No. 502 of the 87th General Assembly. In addition you have submitted a contract bond, upon which the Southern Surety Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies have been complied with. The certificate of the Industrial Commission as to compliance with the laws pertaining to the workmen's compensation has expired and you inform me that a new certificate can not be furnished at the present time, for the reason that the Bryce Heating & Ventilating Co. has not yet been billed for the premium by the Industrial Commission. A new Industrial Certificate should be obtained before the contractor is permitted to proceed with the work.

Finding said contract and bond in proper legal form, with the exception noted in the last paragraph, I hereby approve the same, conditioned upon the obtaining of a certificate from the Industrial Commission. I have noted my approval on the contract and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,

EDWARD C. TURNER,
Attorney General.

2764.

APPROVAL, ABSTRACT OF TITLE TO LAND OF LICKING COUNTY BUILDING AND SAVINGS COMPANY, IN THE CITY OF NEWARK, LICKING COUNTY, OHIO.

COLUMBUS, OHIO, October 19, 1928.

HON. HARRY J. KIRK, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your recent communication submitting to me abstract of title, corrected warranty deed, corrected encumbrance estimate and other papers pertaining to the purchase of certain real property situated in the City of Newark, Licking County, Ohio, and more particularly described in Opinion No. 2668 of this Department, directed to you under date of October 4, 1928.

Upon examination of the abstract of title submitted, I find that the Licking County Building and Savings Company has a good and merchantable fee simple title to the real property here in question, free and clear of all incumbrances whatsoever except the undetermined taxes for the year 1928, which are a lien. Some adjustment of this matter should be made at the time the transaction relating to the purchase of this property is closed.

I have examined the corrected warranty deed submitted and find that the same has been properly executed and is in form sufficient to convey to the State of Ohio a fee simple title to said premises, free and clear of all incumbrances whatsoever.

Encumbrance Estimate No. 3182 referred to and disapproved in said former opinion has been corrected. As corrected, I find said encumbrance estimate to be in proper form, and that the same shows a sufficient balance in a proper appropriation account to pay the purchase price of this property.

The certificate of the Controlling Board showing proper authorization for the purchase of this property was approved in the former opinion and the same is not a part of the files submitted to me at this time.

I herewith enclose said abstract of title, warranty deed, encumbrance estimate and the other papers relating to the purchase of said property.

Respectfully,

EDWARD C. TURNER,
Attorney General.

2765.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE THOMAS MOULDING FLOOR COMPANY, COLUMBUS, OHIO, FOR FLOORING FOR "REMODEL AND COMPLETE OLD CHEMISTRY BUILDING FOR LIBERAL ARTS BUILDING", OHIO STATE UNIVERSITY, COLUMBUS, OHIO, AT AN EXPENDITURE OF \$18,808.00—SURETY BOND EXECUTED BY THE GLOBE INDEMNITY COMPANY.

COLUMBUS, OHIO, October 19, 1928.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Board of Trustees of the Ohio State University, Columbus, Ohio, and the Thomas Moulding Floor Company, of Columbus, Ohio. This contract covers the construction and completion of Flooring Contract, Item 21, as set forth in Article 1 of the specifications for "Remodel and Complete Old Chemistry Building for Liberal Arts Building", Ohio State University, Columbus, Ohio, and calls for an expenditure of Eighteen thousand eight hundred and eight dollars (\$18,808.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also furnished evidence to the effect that the consent and approval of the Controlling Board to the expenditure have been obtained as required by Section 12 of House Bill No. 502 of the 87th General Assembly. In addition you have submitted a contract bond, upon which the Globe Indemnity Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with.