

for your further attention in closing the transaction for the purchase of this property by the issuance of the voucher covering the purchase price of the property.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3420.

STATUS, ABSTRACT OF TITLE AND OTHER INSTRUMENTS, PURCHASE BY STATE OF OHIO, THROUGH CONSERVATION COMMISSIONER FROM ESTATE OF GEORGE P. ADDICOTT, DECEASED, DESCRIBED LANDS IN ORWELL TOWNSHIP, ASHTABULA COUNTY, OHIO, FOR GAME REFUGE, PURCHASE PRICE, \$1850.00.

COLUMBUS, OHIO, December 16, 1938.

HON. L. WOODDELL, *Conservation Commissioner, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination and approval an abstract of title, administrator's deed, contract encumbrance record No. 37 and other files relating to the purchase of a certain 197.11-acre tract of land in Orwell Township, Ashtabula County, Ohio, which was lately owned of record by one George P. Addicott, deceased, and which was thereafter purchased by the Conservation Council for game refuge purposes under the authority conferred upon the Conservation Council to this end by the provisions of Sections 1435 and 1435-1, General Code, as well as by the provisions of the general appropriation act (Amended Senate Bill No. 369) in their application to appropriations made to the Division of Conservation.

Upon examination of the abstract of title submitted to me, I find that said George P. Addicott at the time of his death March 10, 1938, had a good and indefeasible fee simple title to said property, which is more particularly described as follows:

Premises situated in the township of Orwell, County of Ashtabula and State of Ohio, and being known as being the southwest part of Section Number Four (4) in township Number (8) Range Four (4) in the Connecticut Western Reserve, and is bounded as follows, to-wit: Bounded on the west by the west line of lot 4; bounded on the north by lands now or for-

merly owned by Fred Moody, and by lands now or formerly owned by Edward J. Tillingham; on the East by lands now or formerly owned by Serano E. Wolcott and lands now or recently owned by J. D. Beer; on the South by lands now or formerly owned by J. D. Beer and the center of the east and west highway on the south line of said Section No. 4, and containing 197.11 acres, subject to the right of way of The Pittsburgh, Youngstown & Ashtabula Railroad Company through said lands, and being the same land conveyed to George P. Addicott, by deed dated October 26, 1929, and recorded in Volume 307, page 106, of the Ashtabula County Records of Deeds.

Subsequent to the death of George P. Addicott, an action was filed by one Eunice L. Smith, as administratrix with the will annexed of the estate of George P. Addicott, deceased, in the Probate Court of Ashtabula County, Ohio, for an order and decree of that court directing the sale of the above described property for the purpose of paying the debts of said estate. Pursuant to proceedings duly had in said court an order was made by the court for the sale of the above described property at private sale for a price not less than the appraised value of the property, and pursuant to such order the property was sold by said administratrix at private sale to the State of Ohio for the sum of \$1850.00 which was more than the appraised value of the property. Thereupon, an order was made by the court confirming the sale of this property to the State of Ohio, and the administratrix was ordered and directed to execute her deed as administratrix of said estate conveying this property to the State of Ohio.

From the abstract of the proceedings of the administratrix of the estate of George P. Addicott for the sale of the above described property, it appears that said proceedings were in all respects regular and that by the execution and delivery by said administratrix of a deed in proper form, the title to said property will be conveyed to the State of Ohio by fee simple title.

A deed executed by said Eunice L. Smith, as administratrix with the will annexed of the estate of George P. Addicott, deceased, has been submitted for my examination and approval as a part of the files relating to the purchase of this property; and upon examination of this deed, I find that the same has been properly executed and acknowledged by said administratrix and that the form of this deed is such that the same is legally sufficient to convey the title to the above described property to the State of Ohio by fee simple title. I find, however, that the taxes on this property for the year 1938, amounting to the sum of \$42.42, are a lien upon the property and proper arrangements should be made for the

payment of these taxes when the transaction for the purchase of this property is closed by your department.

Contract encumbrance record No. 37, above referred to, has been properly executed and there is shown thereby a sufficient balance in the transferred appropriation account to the credit of the Division of Conservation to pay the purchase price of this property, which purchase price, as above stated, is the sum of \$1850.00. It further appears in this connection that the purchase of this property was approved by the Controlling Board, which board, acting under the authority conferred upon it by the general appropriation act, made a proper transfer and release of a sufficient amount of the moneys appropriated to the Conservation Division to pay the purchase price of this property in the amount above stated.

On the considerations above noted, the title to the above described property, as well as the proceedings relating to the sale of the same to the State of Ohio, are approved, as are the deed, contract encumbrance record and other files which have been submitted to me. And such files are herewith returned to you for your further attention in closing the transaction for the purchase of this property by the issue of a voucher in proper form covering the purchase price of such property.

Respectfully,

HERBERT S. DUFFY,
Attorney General.

3421.

APPROVAL, BONDS, EDENTON RURAL SCHOOL DISTRICT,
CLERMONT COUNTY, OHIO, \$16,000.00, DATED SEPTEMBER 1, 1938.

COLUMBUS, OHIO, December 16, 1938.

Public Employes Retirement, Board, Columbus, Ohio.

GENTLEMEN:

RE: Bonds of Edenton Rural School Dist., Clermont
County, Ohio, \$16,000.00 (Unlimited).

I have examined the transcript of proceedings relative to the above bonds purchased by you. These bonds comprise all of an issue of school improvement bonds dated September 1, 1938, bearing interest at the rate of $3\frac{1}{4}\%$ per annum.