

I am of the opinion, in specific answer to your inquiry, that the pupil in question lives less than two miles from the school, in so far as the distance the pupil lives from the school is a factor in determining whether or not he is entitled to transportation.

Respectfully,

GILBERT BETTMAN,  
*Attorney General.*

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2429.

APPROVAL, NOTES OF VILLAGE OF POWHATAN POINT, BELMONT COUNTY, OHIO—\$18,803.00.

COLUMBUS, OHIO, October 9, 1930.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

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2430.

APPROVAL, ABSTRACT OF TITLE TO LAND OF G. STARK FRAMBES, IN CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, October 9, 1930.

*The State Office Building Commission, Columbus, Ohio.*

GENTLEMEN:—There has been submitted for my examination and approval an abstract of title, warranty deed and encumbrance record No. 678 relating to a certain parcel of land in the city of Columbus, Franklin County, Ohio, which is owned of record by one G. Stark Frambes, and which is more particularly described as being eight inches off of the north side of Inlot No. 120 in the city of Columbus, Ohio, as said lot is numbered and delineated upon the recorded plat thereof, of record in Deed Book "F", page 332, Recorder's Office, Franklin County, Ohio.

Upon examination of said abstract of title, which is certified by the abstracter under date of July 23, 1930, and supplemented by a continuation thereof, certified by the abstracter under date of October 2, 1930, I find that said G. Stark Frambes has a good and indefeasible fee simple title to the above described property free and clear of all encumbrances except taxes on said property as follows:

The taxes for the year 1929 amounting to \$5.74, together with the penalty thereon, are a lien upon this property, as are the undetermined taxes for the year 1930, the amount of which is not stated in said abstract.

The continuation of said abstract above referred to shows that on August 22, 1930, The Thompson Bond and Mortgage Company filed an action in the Common Pleas Court of Franklin County, Ohio, against one James C. Aleshire and other named defendants, including said G. Stark Frambes, in which action a judgment in and for the sum of \$1,758.18 is prayed for against said G. Stark Frambes and others. It further appears that on September 23, 1930, G. Stark Frambes filed a

demurrer to plaintiff's petition and that said action is now pending on said demurrer so far as G. Stark Frambes is concerned. It is altogether unlikely that said action, which is case No. 127137 on the docket of said court, will be disposed of or that any judgment will be rendered therein prior to the time that the transaction relating to the acquisition of this property is closed. It is suggested, however, that before the warrant of the State of Ohio in payment for this property is issued and delivered, a check be made of the proceedings to date in said action in order that you may be satisfied that no judgment has been rendered against said G. Stark Frambes which would be a lien upon said property. Subject to the exceptions and suggestions above made, the title of G. Stark Frambes in and to the above described property is hereby approved.

Upon examination of the warranty deed above referred to, I find that the same has been properly executed and acknowledged by said G. Stark Frambes and by Carlotta E. Frambes, his wife, and that the form of said deed is such that it conveys the above described property to the State of Ohio by fee simple title free and clear of the dower interest of said Carlotta E. Frambes in and to this property and free and clear of all encumbrances whatsoever except taxes and assessments. Said warranty deed is likewise approved by me as to form and execution.

Encumbrance Record No. 678 which has been submitted as a part of the files relating to the acquisition of the above described property, has been properly executed and approved and the same shows that there is a sufficient balance in the appropriation account to pay the purchase price of said property which is the sum of \$552.51.

I am herewith forwarding to you said abstract of title, warranty deed and encumbrance record No. 678.

Respectfully,  
 GILBERT BETTMAN,  
*Attorney General.*

2431.

APPROVAL, ABSTRACT OF TITLE TO LAND OF FRANCES B. WEBB, IN  
 THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, October 9, 1930.

*The State Office Building Commission of Ohio, Columbus, Ohio.*

GENTLEMEN:—There has been submitted for my examination and approval an abstract of title and certain deeds and encumbrance estimate No. 677, relating to a parcel of land in the city of Columbus, Franklin County, Ohio, which is more particularly described as "being thirty-four feet and three inches (34 ft. & 3 in.) off of the north side of fractional inlot number one hundred and twenty-three (123) in the said city, as the same is numbered and delineated on the recorded plat thereof of record in Deed Book 'F', page 332, Recorder's Office, Franklin County, Ohio."

Upon examination of the abstract of title submitted with respect to the above described property, I find that Frances B. Webb has a good and indefeasible title to the underlying fee of the above described property, subject to a certain lease for the term of ninety-nine years, renewable forever, executed by said Frances B. Webb and by Scott A. Webb, her husband, (since deceased) to one G. Stark Frambes under date of January 31, 1928.

Prior to the appropriation of the above described property by the State of Ohio,