

3077.

STATUS OF TITLE, TO PREMISES IN BENTON TOWNSHIP, PIKE COUNTY.

COLUMBUS, OHIO, January 15, 1926.

HON. CARL E. STEEB, *Secretary Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—Examination of a warranty deed and abstract of title submitted by you to this department for examination and approval discloses the following:

The abstract under consideration was originally prepared and certified under date of October 8, 1925, and later supplemented and recertified under date of December 3, 1925, and pertains to the following premises:

“Real estate situate in Benton township, Pike county, Ohio, being 59 acres of land more or less and being a part of survey No. 14252, patented in the name of Warren Carter, and being more particularly described in the caption of the abstract to which this opinion is attached.”

Upon examination of said abstract I am of the opinion that same shows a good and merchantable title in Earl D. Brenner, subject to the following:

Attention is directed to the fact that no definite record of the title appears in the records of Pike county prior to February 11, 1875, but in view of the fact that a clear and definite chain of title is shown in the abstract subsequent to said date, being a period of more than fifty years, it is believed that this deficiency in the early record of the title may be disregarded.

It appears from the last certificate of the abstractor that all taxes charged on the tax duplicate against said premises are paid in full.

Examination of warranty deed as submitted discloses “The Ohio Agricultural Experiment Station, Wooster, Ohio,” to be the grantee. This should be amended and a new deed executed making the State of Ohio the grantee and if desired by your department, the language “for the use of the Ohio Agricultural Experiment Station” placed in parenthesis may be added. Conveyance of all property purchased by the State of Ohio should indicate the State of Ohio as grantee without qualification or condition.

The encumbrance estimate as submitted appears to be in proper form and properly certified. The transcript of the minutes of the controlling board as submitted are sufficient to show the approval of said board as required by section 12 of the General Appropriation Act of the 86th General Assembly.

The abstract of title, warranty deed, encumbrance estimate, and transcript of the minutes of the controlling board submitted by you are herewith returned.

Respectfully,

C. C. CRABBE,
Attorney General.