

3062.

APPROVAL, ABSTRACT OF TITLE TO LAND OF THE HEIRS OF WILLIAM W. HIGHLANDS IN THE VILLAGE OF NEWTOWN, HAMILTON COUNTY, OHIO.

COLUMBUS, OHIO, December 24, 1928.

HON. CHARLES V. TRUAX, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—You have submitted an abstract certified by W. H. Burtner, Jr., an attorney of Cincinnati, Ohio, and requested my opinion as to the status of the title to a part of Lot No. Seven (7), in the Village of Newton, Hamilton County, Ohio, and more particularly described therein.

The abstract discloses that the State of Ohio obtained a lease thereon from the heirs of William W. Highlands in 1919, for the term of ninety-nine years (99), with the privilege of purchasing the same for the sum of three hundred dollars (\$300.00).

On August 11, 1928, a suit seeking partition and equitable relief was instituted in the Court of Common Pleas of Hamilton County, Ohio, in which the heirs of William W. Highlands, deceased, were properly made parties. The State of Ohio filed its answer therein, setting up the claim that the State of Ohio, through the Director of Agriculture, had on the 8th day of July, 1927, elected to exercise its rights under said lease to purchase the fee, and praying for an order directing the conveyance of said premises to the State. The court duly ordered that the Sheriff of Hamilton County execute and deliver to the State of Ohio a deed for said premises upon the payment of the sum of three hundred dollars by the State.

It is believed that the delivery of said deed will be sufficient to convey good title to the State.

Your attention is directed to the provisions of law relative to the certificate of the Director of Finance as to the available and unencumbered funds, and also to the provisions of the General Appropriation Bill of the 87th General Assembly requiring the consent of the Controlling Board before the expenditure of such funds be made.

The proceedings herein are somewhat out of the ordinary, in that it will be necessary for the warrant to be drawn and delivered to the sheriff before the delivery of the deed. However, this proceeding is not objectionable in view of the order of the court.

The abstract is being returned herewith.

Respectfully,
EDWARD C. TURNER,
Attorney General.

3063.

APPROVAL, BONDS OF THE VILLAGE OF GREENFIELD, HIGHLAND COUNTY, OHIO—\$13,500.00.

COLUMBUS, OHIO, December 24, 1928.

Industrial Commission of Ohio, Columbus, Ohio.