

is prima facie evidence of his title. In the case of registered lands, however, title does not pass until the purchaser has complied with the requirements of Section 8572-58, supra. Although this procedure may appear to be burdensome, it should be realized that the benefits of title registration are accompanied by the burdens of the system.

Answering your question specifically, it is my opinion that the purchaser of registered lands at a forfeited land sale acquires a valid title thereto when and only when there has been a compliance with all the requirements of section 8572-58, General Code.

Respectfully,

THOMAS J. HERBERT,
Attorney General.

872.

VILLAGE—SURRENDER OF CORPORATE POWERS—WHEN
OBLIGATIONS PAID, ALL MONEY OR PROPERTY RE-
MAINING BELONG TO SUCH VILLAGE SCHOOL DIS-
TRICT—SECTIONS 3513, 3514 G. C.—MEDINA COUNTY.

SYLLABUS:

Upon the surrender of its corporate powers by a village, in accordance with the provisions of Section 3513, General Code, when all existing obligations have been paid, by the express terms of Section 3514, General Code, all money or property remaining after such surrender shall belong to the school district embracing such village.

COLUMBUS, OHIO, July 11, 1939.

HON. R. E. SNEDDEN, *Prosecuting Attorney, Medina, Ohio.*

DEAR SIRS Your letter of July 1, 1939, requesting my opinion as to the disposition of the public funds of the recently dissolved village of Western Star, Ohio, duly received. Your request reads as follows:

“The Village of Western Star, Medina County, Ohio, upon an election duly and legally had, surrendered the corporate powers of the Village.

They had in their possession a general fund, money received from the gas tax and automobile license, set up in different funds. Request that your office render an opinion indicating to which of the various political subdivisions do these various balances, after all obligations have been paid from these various funds, belong.

For your information, the Prosecuting Attorney's office of Summit County has rendered an opinion that all of same belong

to the school district embracing said Village. I have been unable to find an opinion or court decision which covers the statutes involved."

It is apparent from your communication that this village was dissolved under the provisions of Section 3513 of the General Code, which provides, in substance, that villages may surrender their corporate powers upon petition to council by at least forty per cent of the electors thereof and an affirmative vote of a majority of such electors at a special election, to be provided for by council. The section further provides that if the election is in favor of such surrender the corporate powers of such a village shall cease.

Section 3514, General Code, reads as follows:

"Such surrender of corporate powers shall not affect vested rights or accrued liabilities of such village, or the power to settle claims, dispose of property, or levy and collect taxes to pay existing obligations, but after the presentation of such petition, council shall not create any new liability until the result of the election is declared, nor thereafter, if such result is in favor of the surrender of corporate powers. Due and unpaid taxes may thereafter be collected, *and all moneys or property remaining after such surrender shall belong to the school district embracing such village.*" (Italics ours.)

I note that you state you have been unable to find an opinion or court decision covering the statutes involved. I, also have been unable to find any opinion or decision with reference to this section, involving the question asked by you. But it seems to me that the plain wording of the statute above underscored makes clear provision for the disposition of all moneys and property of a dissolved village after the requirements of Sections 3513 and 3514 have been met, and I know of no alternative other than to follow the provisions of the statute.

Therefore, in specific answer to your question, it is my opinion that:

Upon the surrender of its corporate powers by a village, in accordance with the provisions of Section 3513, General Code, when all existing obligations have been paid, by the express terms of Section 3514, General Code, all money or property remaining after such surrender shall belong to the school district embracing such village.

Respectfully,

THOMAS J. HERBERT,
Attorney General.