

4387.

APPROVAL, ABSTRACT OF TITLE TO LAND OF JESSE H. BURDETTE  
IN HIGHLAND COUNTY, OHIO.

COLUMBUS, OHIO, June 7, 1932.

HON. HARRY R. MCPHERSON, *Business Agent, Ohio State Archaeological and Historical Society, Columbus, Ohio.*

DEAR SIR:—You have submitted for my examination an abstract of title, warranty deed, encumbrance estimate No. 2, and copy of authority of the Controlling Board relating to the proposed purchase by the Ohio State Archaeological and Historical Society of 50 acres of land, more or less, situated in Brush Creek Township, Highland County, Ohio, and being part of the so-called Ft. Hill land, from one Jesse H. Burdette.

The abstract of title discloses that said Jesse H. Burdette has a good and merchantable fee simple title to said land, subject to the following encumbrances:

(1) A mortgage for \$300.00 made by said Burdette to John W. Stults, dated January 28, 1929 (page 10, Abstract).

(2) Taxes for the year 1931 and for the year 1932 (page 12, Abstract).

The proposed deed from Jesse H. Burdette, an unmarried man, is executed in proper form to convey a fee simple title to the Ohio State Archaeological and Historical Society. The grantor covenants that he will warrant and defend the premises against all claims "except taxes for the year 1932, payable December, 1932, and June, 1933, which grantee assumes and agrees to pay as a part of the consideration hereof."

Encumbrance estimate No. 2 indicates that there is sufficient money in the proper appropriation account to pay for said land. The State Controlling Board has given its approval to the purchase.

Enclosed please find said abstract, said warranty deed and said encumbrance estimate. The copy of the authority of the Controlling Board has been forwarded to you previously with papers relating to the Helterbrand purchase.

Respectfully,

GILBERT BETTMAN,

*Attorney General.*

4388.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE C. M.  
ROBINSON COMPANY OF CINCINNATI, OHIO, FOR CONSTRUCTION  
AND ICE MAKING EQUIPMENT AT OHIO SOLDIERS' AND  
SAILORS' HOME, XENIA, OHIO, AT AN EXPENDITURE OF  
\$9,312.00—SURETY BOND EXECUTED BY THE AETNA CASUALTY  
AND SURETY COMPANY OF HARTFORD, CONN.

COLUMBUS, OHIO, June 7, 1932.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home, Xenia, and the

C. M. Robinson Company of Cincinnati, Ohio. This contract covers the construction and installation of Refrigeration and Ice Making Equipment, Cold Storage, Doors and Overhead Track, not including equipment, for Kitchen and Dining Room, Ohio Soldiers' and Sailors' Orphans' Home, Xenia, Ohio, according to Item No. 1 of the Form of Proposal dated March 11, 1932. Said contract calls for an expenditure of nine thousand three hundred and twelve dollars (\$9,312.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also shown that the Controlling Board and Emergency Board have authorized the expenditure in accordance with section 8 of House Bill No. 624 of the 89th General Assembly. In addition, you have submitted a contract bond upon which the Aetna Casualty and Surety Company of Hartford, Connecticut, appears as surety, sufficient in amount to cover the contract price.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law, and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the workmen's compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon, and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,  
 GILBERT BETTMAN,  
*Attorney General.*

4389.

APPROVAL, LEASE TO INSERT PIPE INTO LEVEL OF MIAMI AND  
 ERIE CANAL AT FORT LORAMIE, OHIO—FORT LORAMIE MILL-  
 ING COMPANY.

COLUMBUS, OHIO, June 7, 1932.

HON. T. S. BRINDLE, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—There has been submitted for my examination and approval a certain water pipe lease in triplicate, by which lease there is given to the Fort Loramie Milling Company of Fort Loramie, Ohio, the right, for a period of five years from the date specified in the lease, to take from the level of the Miami and Erie Canal at Fort Loramie, such amount of water as will flow through a one inch pipe, the same to be used for steam and condensing purposes.

Upon examination of this lease, I find that the same has been properly executed by the Superintendent of Public Works, as Director of said department and by the Fort Loramie Milling Company, the above named lessee. I further find that the provisions of said lease and the terms and conditions thereof, are in conformity with the provisions of Sections 14009 and 431 and other sections of the General Code relating to the execution of leases of this kind.

I am accordingly approving this lease as to legality and form and I hereby