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APPROVAL—WARRANTY DEED. ABSTRACT OF TITLE, ETC.,
LANDS IN FRANKLIN TOWNSHIP, ROSS COUNTY, OHIO,
PART OF VIRGINIA MILITARY LANDS—ALF HURLES.

COLUMBUS, OHIO, March 16, 1937.

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

DEAR SIR: You have submitted for my examination and approval an abstract of title, warranty deed, contract encumbrance record No. 39 and other files relating to the proposed purchase by the Board of Control of the Ohio Agricultural Experiment Station for and in the name of the State of Ohio, of a tract of land which is now owned of record by one Alf Hurles in Franklin Township, Ross County, Ohio. This tract of land is a part of Survey No. 13469 in the Virginia Military District and is more particularly described by metes and bounds as follows:

Beginning at a concrete boundary marker of State of Ohio Division of Forestry at the head of a small drain near the top of the ridge and in the line of surveys 13469 & 13441, Thence S. 52-20 W. 376.75 ft. along the N. W. slope of the hill to a concrete monument; Thence S. 87-17 W. 428.16 ft. along a small ridge to a concrete monument at the foot of a 6" Black Oak; Thence S. 22-50½ E. 861-19 ft. to a concrete monument where three small drains meet before running into a fourth and larger one; Thence S. 19-04½ W. 403.13 ft. across the flat and up the hill to a concrete monument from which a twin White Oak 12" diameter bears South 9 ft.; Thence N. 86-48 W. 478-99 ft. to a concrete monument in the bottom of a small drain; Thence N. 28-19½ W. 2444.29 ft. along the North East slope of the hill to a concrete monument on the North bank of a drain at its intersection with the main hollow; Thence N. 50-55 W. 1013.44 ft. to a concrete monument and a marked stone in line of wire fence and common corner of Surveys Nos. 13469, 13441, 3401, 3711; Thence N. 61-20½ E. 681.00 ft. with wire fence and across the bottoms to a marked stone in the flat and at corner of wire fence; thence N. 9-59 E. 543.61 ft. with the wire fence and up the hill to a marked stone on top of the ridge and corner of wire fence; Thence N. 53-37 E. 597-82 ft. diagonally down the hill, across the hollow to a stake on the South hill side; Thence S. 34-13½ E. 3155.51 ft. following

generally the South West slope to the beginning, passing a concrete monument, corner of state property, at the foot of a 22" White Oak in the bottom of the hollow at 1058.94 ft., being 112.28 acres, more or less.

Upon examination of the abstract of title submitted to me, which abstract is certified by the abstracter under date of February 8, 1937. I find that said Alf Hurles has a good merchantable fee simple title in and to the above described tract of land and that he owns and holds the same free and clear of all encumbrances except the taxes on the property for the year 1936 amounting to the sum of \$6.64, of which \$3.32 was and is payable at the December, 1936, collection of taxes and a like amount at the June, 1937, collection of taxes in said county.

The warranty deed which has been tendered to the state through your department by Alf Hurles has been properly executed and acknowledged by said grantor and by his wife Blanche Hurles. The form of the deed is such that the same is legally sufficient to convey this property to the State of Ohio by full fee simple title free and clear of the inchoate dower interest of Blanche Hurles in and to this property with a covenant of warranty that the property is free and clear of all encumbrances whatsoever.

Contract encumbrance record No. 39 covering the purchase price of this property has been properly executed and the same shows a sufficient unencumbered balance in the rotary fund set up for the use of the Division of Forestry of the Ohio Agricultural Experiment Station, in the hands of the State Treasurer, to pay the purchase price of this property which is the sum of \$898.24.

This property is being purchased by your department under the authority of House Bill No. 571, Sections 1173-2, et seq., General Code, and is being paid for out of the segregated funds accruing to the Ohio Agricultural Experiment Station and to the Forestry Division of said department as provided for in said act. For this reason, no action of the Controlling Board approving the purchase of this property was or is necessary.

I am herewith approving the title of Alf Hurles in and to the above described property subject only to the exception above noted with respect to the 1936 taxes and I am likewise approving the warranty deed and contract encumbrance record No. 39 above referred to. All of these files are herewith returned to you for your use in preparing and forwarding to the Auditor of State your voucher covering the purchase price of this property.

Respectfully,

HERBERT S. DUFFY,

Attorney General.