

186.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS
DUTIES AS RESIDENT DIVISION DEPUTY DIRECTOR—ROY E.
MILLER.

COLUMBUS, OHIO, March 12, 1929.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration a bond in the sum of five thousand dollars, and conditioned for the faithful performance of the duties of the principal as Resident Division Deputy Director, as follows:

Roy E. Miller, principal (Division No. 8), upon which the United States Fidelity and Guaranty Company appears as surety.

The above bond is given in pursuance to the provisions of Section 1182 of the General Code, which section specifically requires that Resident Division Deputy Directors give bond in the amount above indicated with sureties to your approval. The bond has been properly executed and bears your approval thereon.

It is further noted that in the official roster of the Division of Insurance the surety heretofore mentioned has been duly authorized to transact business in Ohio.

In view of the foregoing, I have approved said bond as to form and return the same herewith.

Respectfully,

GILBERT BETTMAN,
Attorney General.

187.

APPROVAL, ABSTRACT OF TITLE TO LAND OF THE CITY OF CANTON
IN THE CITY OF CANTON.

COLUMBUS, OHIO, March 12, 1929.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your recent communication re-submitting for my examination and approval abstract of title, warranty deed form, encumbrance estimate No. 3192, and Controlling Board certificate relating to the proposed purchase of a tract of 2.44 acres of land, the same being a part of out lots Nos. 197 and 266 in the City of Canton, Ohio.

This abstract was the subject of a former opinion, No. 105, of this department directed to you under date of February 20, 1929.

The abstract submitted to me now has been corrected so as to show the proceedings relating to the bid of the State of Ohio for this property and the acceptance of said bid by the Director of Public Service of the city of Canton, pursuant to the provisions of the statute relating to the sale of this tract of land.

Upon examination of the abstract of title as corrected, I find that the city of Canton has a good and merchantable fee simple title to the tract of land here in question; that the proceedings of said city and its officers relating to the sale of said tract of land are in all respects regular, and that a conveyance of said land to the state by the deed submitted will, when the same is properly signed and acknowledged by the mayor and auditor of said city and properly witnessed, confer upon the State of Ohio a good and merchantable fee simple title to said tract of land, free and clear of all encumbrances whatsoever.

As above indicated, the deed submitted has not been signed and acknowledged by the mayor and auditor of the city; this should, of course, be done before the transaction relating to the purchase of this property is closed. You should likewise see to it that the signatures of said mayor and auditor are properly witnessed and that their acknowledgments are taken before a notary public, or some other officer authorized to take acknowledgments of deeds. The deed should then be recorded.

Encumbrance Estimate No. 3192 has been properly executed, and shows that there is a sufficient balance in a proper appropriation account to pay the purchase price of this property. It likewise appears from the certificate of the Controlling Board, under date of March 1, 1929, that the full sum of \$3,000.00 has been released by said Board for the purpose of purchasing this property.

I am herewith returning to you said abstract of title, warranty deed form, Encumbrance Estimate, and Controlling Board certificate.

Respectfully,

GILBERT BETTMAN,
Attorney General.

188.

APPROVAL, NOTES OF MALINTA-GRELTON UNION RURAL SCHOOL DISTRICT, HENRY COUNTY—\$80,000.00.

COLUMBUS, OHIO, March 12, 1929.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

189.

APPROVAL, BOND FOR THE FAITHFUL PERFORMANCE OF HIS DUTIES AS SUPERINTENDENT OF BUILDING AND LOAN ASSOCIATIONS—JOHN W. PRUGH.

COLUMBUS, OHIO, March 12, 1929.

HON. JOHN W. PRUGH, *Superintendent of Building and Loan Associations, Columbus, Ohio.*

DEAR SIR:—You have submitted a bond executed by you as principal, upon which The Metropolitan Casualty Insurance Company of New York appears as surety, in the penal sum of \$10,000.00, for the purpose of covering the faithful performance of your duties as Superintendent of Building and Loan Associations. Said bond apparently is executed in pursuance of the provisions of Section 154-14 of the General Code, which requires that you give bond in a sum approved by the Governor, which said sum shall not be less than \$10,000.00. Under said section it is also the duty of the Governor to approve the surety.

I have found said bond to be executed in proper legal form and hereby approve the same as to form. However, as above indicated, you should obtain the approval of the Governor upon said bond before it is filed in the office of the Secretary of State.

Respectfully,

GILBERT BETTMAN,
Attorney General.