

COLUMBUS, OHIO, June 15, 1926.

Department of Highways and Public Works, Division of Highways, Columbus, Ohio.

GENTLEMEN:—I am in receipt of your letter of June 12, 1926, enclosing for my approval a contract in duplicate proposed to be entered into on behalf of the State of Ohio with The Pennsylvania Railroad Company, and covering the distribution of costs and the division of the work between the State and company in connection with the construction of a separated crossing at the intersection of section A-2 I. C. H. No. 469 and the tracks of said company near Maximo, in Stark county, Ohio.

You also transmit the duplicate original certificate of county funds executed by the county auditor of Stark County under date of May 19, 1926, certifying county funds to this project in the sum of \$17,225.18 and a certified copy of a resolution adopted by the county commissioners of Stark County, adopted May 19, 1926, in which there is appropriated county funds in the sum of \$17,225.18.

Investigation in your department discloses that you have procured from the Director of Finance his certificate under date of June 15, 1926, in the sum of \$17,225.18.

I have carefully examined said contract and find it correct in form and legal, and am therefore returning the same to you with my approval endorsed thereon in duplicate.

Respectfully,

C. C. CRABBE,

Attorney General.

.3450.

ABSTRACT, STATUS OF TITLE, TO LAND IN BENTON TOWNSHIP,
PIKE COUNTY, BEING PART OF SURVEY 13886.

COLUMBUS, OHIO, June 15, 1926.

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

DEAR SIR:—Examination of an abstract and other data submitted by your department for my examination and approval, discloses the following:

The abstract as submitted was certified under date of June 1, 1926, and pertains to 45 acres of land located in Benton Township, Pike County, Ohio, and being a part of Survey 13886, and more particularly described in the caption of the abstract to which this opinion is attached.

The abstract shows a sufficient title to said premises in John Matthew, subject to the following exceptions:

The certificate of the abstracter shows the taxes to and including the December 1925 payment are paid. It therefore appears that the taxes for the last half of 1925, due and payable in June, 1926, are unpaid and a lien. The taxes for the year 1926 became a lien on April 11th, but the amount of which are as yet undetermined.

The warranty deed as submitted will be sufficient to transfer the premises under consideration to the State of Ohio when properly delivered.

Encumbrance Estimate No. 563, covering the purchase has been regularly certified by the Director of Finance under date of June 11, 1926.

Evidence of the approval of the Controlling Board has also been submitted, and

said approval appears to have been regularly granted.

The abstract, warranty deed and other data submitted by you are herewith returned.

Respectfully,
C. C. CRABBE,
Attorney General.

3451.

ABSTRACT, STATUS OF TITLE, TO LAND SITUATED IN SECTION 14,
TOWNSHIP 7N, RANGE 6 E., CLINTON TOWNSHIP, FULTON COUNTY,
OHIO.

COLUMBUS, OHIO, June 15, 1926.

HON. G. F. SCHLESINGER, *Director of Highways and Public Works, Columbus, Ohio.*

DEAR SIR:—Examination of an abstract and other data submitted by your department for my examination and approval, discloses the following:

The abstract as submitted was certified under date of February 6, 1926, and pertains to a parcel of two acres of land situated in section 14, township 7N, range 6 E, in Clinton township, Fulton county, Ohio, and more particularly described in the caption of the abstract to which this opinion is attached.

Upon examination of said abstract, I am of the opinion that same shows a sufficient title to said premises in Harry Zug, subject to the following exception:

The two acres under consideration appears in the abstract to be a part of a 37.37 acre tract, and the tax liens and special assessments are based on the above acreage. The June installment of taxes on the above acreage in the sum of 30.07 are unpaid and a lien. The taxes for the year 1926, became a lien on April 11, 1926, the amount of which are as yet undetermined.

There also appears the following special assessments on the above acreage: Road No. 20, June installment, 1926, \$17.48; December, 1926, installment \$17.02. Road No. 90, June, 1926, installment \$4.03; December, 1926, installment \$3.92 and June, 1927, installment \$3.80.

There also appears an uncanceled mortgage on said premises in the sum of \$1,200.00 to C. L. Canfield. Said mortgage bears date of November 16, 1925, and should be cancelled of record before the final consummation of the transfer of these premises to the State of Ohio.

The warranty deed as submitted will be sufficient to convey the premises to the State of Ohio, but your department must see to it that the above referred to mortgage is released of record and the payment of all the above referred to taxes and assessments provided for be made before the acceptance of said deed.

Encumbrance estimate No. 1867, as submitted by you, covering the premises under consideration, has been regularly certified by the Director of Finance under date of June 2, 1926.

Evidence of the approval of the Controlling Board has also been submitted, and appears to be in proper form.

The abstract, warranty deed and other data submitted by you are herewith returned.

Respectfully,
C. C. CRABBE,
Attorney General.