

any fine, assessment or levy imposed on account of the manufacture, sale or giving away of intoxicating liquors or for any liquor tax.

An examination has been made of the deed submitted, executed by William L. Bickett and Mary O. Bickett.

Representatives of your office state that the description in said deed has been checked with the abstract and a recent survey, and that the same is correct, which fact is assumed for the purposes of this opinion.

It is believed that said deed is in proper legal form and will be sufficient to convey the title to said premises to the State.

Amended Senate Bill No. 401, which provides the appropriation for this property, authorizes you to purchase said property free from or subject to easements thereon. Therefore, it is for you to determine to what extent the easements referred to will interfere with the use of the property. Your attention is further directed to the fact that before the deed is accepted you should obtain a certificate from the Director of Finance to the effect that there are funds legally appropriated and unencumbered sufficient to pay the amount under said contract.

The certificate of title and deed are being returned herewith.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5534.

APPROVAL—CONDITIONALLY, FOUR CERTIFICATES OF TITLE, ETC., TO LAND IN GREEN TOWNSHIP, SUMMIT COUNTY, OHIO—THE NORTHERN OHIO GUARANTEE TITLE COMPANY OF AKRON, OHIO.

COLUMBUS, OHIO, May 15, 1936.

HON. CARL G. WAHL, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted four certificates of title issued by The Northern Ohio Guarantee Title Company of Akron, Ohio, three of which are dated March 23, 1936, at 7:30 a. m., and one of which is dated March 31, 1936, at 7:30 a. m., and inquired as to the status of the title to the lands described in said certificates of title. All of said lands are situated in Green Township, Summit County, Ohio. The first certificate describes 1½ acres of land; the second, 45.02 acres of land; the third, 1.28 acres of land; and the fourth, 14.79 acres of land. Reference is made to said abstracts for a complete description of said property.

It is believed that said abstracts disclose that the title to the premises

at the date of said certificates is good in J. Nelson Pippus, subject to the following encumbrances:

Tract No. 1. The predecessor in title under date of August 19, 1902, granted a right of way to The East Ohio Gas Company shown in section 1 of the exceptions of said certificate. In section 2 of said exceptions, there is also shown a right of way granted to The East Ohio Gas Company on said lands. The taxes for the years 1935 and 1936 are unpaid and a lien.

Tract No. 2. In section 1 of the exceptions to said certificate of title, there is shown a right of way granted to The East Ohio Gas Company. In section 2, a right of way is shown as having been granted to The East Ohio Gas Company. In section 4, there is disclosed that a mortgage was granted by J. Nelson Pippus and Ada Pippus to Celia Deutsch under date of April 6, 1908, to secure the payment of \$600.00 with interest, which, according to said certificate, has not been released of record and is probably a lien upon the premises. Also, in section 5 there is disclosed that J. Nelson Pippus and Ada Pippus granted to The East Ohio Gas Company an oil and gas lease on the premises. The taxes for the years 1935 and 1936 are unpaid and a lien.

Tract No. 3. In section 1 of the exceptions to the certificate of title a right of way is shown as having been granted to The East Ohio Gas Company. In section 2 a reservation is shown to Kelly Myers and Lena Myers of a roadway. In section 3 it is shown that an oil and gas lease was granted to The East Ohio Gas Company. The taxes for the years 1935 and 1936 are unpaid and a lien.

Tract No. 4. Section 1 of the exceptions noted in the certificate discloses that an oil and gas lease was granted to The East Ohio Gas Company. The taxes for the years 1935 and 1936 are unpaid and a lien.

All of said certificates disclose that no examination has been made in the records of the United States Courts and no examination has been made for liens arising by reason of fines, assessments or levies imposed on account of the violation of laws relating to intoxicating liquors.

Under Amended Senate Bill No. 401 you may accept conveyances free from or subject to easements, and it will be necessary for you to determine to what, if any, extent the easements hereinbefore mentioned will interfere with the uses of the property for the purposes for which it is to be acquired.

An examination has been made of the deed submitted. The description in said deed, from information obtained from your office, has been made from a recent survey of the property to be purchased. This opinion is written upon the assumption that said description covers lands only described in said abstract, and has accurately been made.

Assuming that the description is correct, which your department, in view of the surveys being made under your direction, is in position to check, it is believed that said deed is in proper legal form and sufficient to convey the title to said premises to the State, when properly delivered and accepted. Before accepting the deed, however, a certificate from the Director of Finance to the effect that funds legally appropriated and unencumbered are available for the purchase of said lands, should be obtained.

The said deed and abstracts are being returned herewith.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5535.

APPROVAL—BONDS OF LETART RURAL SCHOOL DISTRICT,
MEIGS COUNTY, OHIO, \$16,500.00.

COLUMBUS, OHIO, May 16, 1936.

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

5536.

APPROVAL—RESERVOIR LAND LEASE TO LAND AT BUCK-
EYE LAKE, FAIRFIELD COUNTY, OHIO—MAMIE M.
EGGERT AND WILLIAM J. HOUSEL OF COLUMBUS,
OHIO.

COLUMBUS, OHIO, May 18, 1936.

HON. EARL H. HANEFELD, *Director, Department of Agriculture, Colum-
bus, Ohio.*

DEAR SIR: I am in receipt of a communication from the Chief of the Bureau of Inland Lakes and Parks of the Division of Conservation in your department, requesting my approval on a certain reservoir land lease in triplicate, executed by the Conservation Commissioner to Mamie M. Eggert and William J. Housel of Columbus, Ohio.

By this lease, which is one for a term of fifteen years and which provides for an annual rental of \$24.00, there is leased and demised to the lessees above named, the right to occupy and use for cottage site and dock-landing purposes only, the inner slope and waterfront and the outer slope