

4581.

APPROVAL, ABSTRACT OF TITLE TO LAND OF CURTIS E. MINSEL  
IN RICHLAND TOWNSHIP, DEFIANCE COUNTY, OHIO.

COLUMBUS, OHIO, August 29, 1932.

HON. EARL H. HANEFELD, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of a recent communication over the signature of Hon. William H. Reinhart, Conservation Commissioner, submitting for my examination and approval an abstract of title, warranty deed and encumbrance record No. 39, relating to the proposed purchase by the State of Ohio of a tract of land in Richland Township, Defiance County, Ohio, the same being all that portion of the northeast fraction of Section 22, Township 4 North, Range 5 East, lying between the Miami and Eric Canal and the Maumee River, and being more particularly described as follows:

“Beginning at the point of intersection of the southerly line of the Miami and Eric Canal property and the north and south half section line of said Section 22; said point being 132.5 feet southerly from the center line of U. S. Highway No. 24, as measured along said half section line; thence easterly along the southerly property line of the Miami and Eric Canal, the following courses and distances, S. 89° 16' E. 554 feet, more or less, to a point; thence north 89° 16' E., 500 feet to a point; thence south 89° 33' E., 210 feet, to a point; thence N. 89° 59' E., 690 feet, to a point; thence S. 89° 32' E., 700 feet to a point marking the intersection of the easterly line of said Section 22, and the southerly property line of said Miami and Eric Canal; thence S. 0° 43' N., along said section line, 118 feet, more or less, to the northerly water line of the Maumee River; thence westerly along said water line to the Maumee River, 2666 feet, more or less, to the said half section line; thence N. 1° 05' E., along said half section line, 174 feet, more or less, to the place of beginning, and containing 11.99 acres of land, more or less.”

The above described property is owned of record by one Curtis E. Minsel; and upon examination of the abstract of title submitted, which abstract of title is certified by the abstractor under date of June 27, 1932, I find that Curtis E. Minsel has a good and indefeasible fee simple title to the above described property, subject, however, to the following liens and encumbrances noted in the abstract of title:

1. On July 16, 1924, Curtis E. Minsel, his wife joining with him in the conveyance, executed a mortgage deed conveying the property above described and other property owned by him, to the Federal Land Bank of Louisville to secure an obligation payable to said bank in the sum of \$1700.00. This mortgage, which was duly filed for record, has not been cancelled and the same, to the extent of the amount of the unpaid obligation secured thereby, is a lien upon the property here under investigation.

2. The abstract of title shows a foreign execution in the office of the sheriff of Defiance County, Ohio, against the above described and other lands of Curtis E. Minsel, on a judgment in and for the sum of \$1092.50, with interest thereon at 6% from August 26, 1931, together with costs in the sum of \$11.75. This judg-

ment is, by virtue of the execution levied by the sheriff of Defiance county, a lien upon this property.

3. The taxes on this property for the last half of the year 1931, amounting to \$1.84, are unpaid, and the same, together with the undetermined taxes for the year 1932, are a lien upon the property.

An assessment in the sum of \$35.88, payable in eighteen equal semi-annual installments of \$1.99 each, were levied on the above described property for the improvement of I. C. H. No. 316, Section L, which road is now known as U. S. No. 24. The first installment on this assessment was due and payable in December, 1926, and apparently all of such installments have been paid as they became due and payable except that which became due and payable in June, 1932. This installment and the remaining installments of this assessment are of course a lien upon this property.

Before the transaction is closed for the purchase of the property here under investigation, this property should be released from the operation and lien of the mortgage and judgment above referred to; and some arrangement should be made for the payment or satisfaction of the tax and assessment liens above referred to.

Upon examination of the warranty deed tendered by Curtis E. Minsel, I find that the deed has been properly executed by him and by his wife, Anna Minsel, and that the form of said deed is such that the same is legally sufficient to convey this property to the State of Ohio by fee simple title free and clear of the dower interest of Anna Minsel, the wife of said Curtis E. Minsel, with a covenant of warranty on the part of said grantors that this property is to be conveyed to the State of Ohio free and clear of all encumbrances whatsoever.

Upon examination of the encumbrance record No. 39, I find that the same has been properly executed and approved, and that there is shown thereby a sufficient balance in the proper appropriation account to pay the purchase price of this property, which purchase price is the sum of \$2,000.00. It likewise appears by a recital in this encumbrance record, as well as by a communication from the Board of Control, that the purchase of this property has been approved by said board.

Subject to the exceptions above noted, the abstract of title submitted is approved, and the same, together with the warranty deed and encumbrance record No. 39, above referred to, is herewith returned.

Respectfully,

GILBERT BETTMAN,

*Attorney General.*

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4582.

APPROVAL, CONDITIONALLY, ABSTRACT OF TITLE TO LAND OF  
AMBROSE E. TRUBEY IN RICHLAND TOWNSHIP, DEFIANCE  
COUNTY, OHIO.

COLUMBUS, OHIO, August 29, 1932

HON. EARL H. HANEFELD, *Director, Department of Agriculture, Columbus, Ohio.*

DEAR SIR:—By a communication of recent date, Hon. William H. Reinhart, Conservation Commissioner, submitted to me for examination and approval, an abstract of title, warranty deed and encumbrance record No. 41, relating to a tract of land owned of record by one Ambrose E. Trubey in Richland Township,