

for and on behalf of the Board of Trustees of Kent State College, Kent, Ohio, and Ronan and Ingleson, Columbus, Ohio, for architectural services in connection with remodeling Merrill Hall at said college, and providing for compensation to the architect in an amount equal to five and a half per cent (5½%) of the amount paid out by the State of Ohio under and on account of contracts entered into by the State for the construction of said improvement.

You have also submitted evidence showing that the Controlling Board has duly consented to and approved the expenditure of forty-eight hundred dollars (\$4800.00) for architectural services on this project. You have further submitted encumbrance estimate in the amount of forty-four hundred dollars (\$4400.00) and bearing the certificate of the Director of Finance, as required by Section 2288-2, General Code. A filed resolution of the board of trustees of Kent State College requests that the contract under consideration be entered into by yourself.

Finding said contract in proper legal form, I have endorsed my approval thereon and return the same herewith to you, together with all other papers submitted in this connection.

Respectfully,
 GILBERT BETTMAN,
Attorney General.

2518.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE SAMUEL A. ESSWEIN HEATING AND PLUMBING COMPANY, COLUMBUS, OHIO, FOR PLUMBING, HEATING AND VENTILATING IN THE NEW EAST AND WEST WING AT THE LONDON PRISON FARM, LONDON, OHIO, AT AN EXPENDITURE OF \$56,504.00—SURETY BOND EXECUTED BY THE COMMONWEALTH CASUALTY COMPANY.

COLUMBUS, OHIO, November 7, 1930.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Department of Public Welfare, and The Samuel A. Esswein Heating and Plumbing Company, of Columbus, Ohio. This contract covers the construction and completion of contract for combined plumbing, heating and ventilating to be installed in a building known as the New East and West Wing at the London Prison Farm, London, Ohio, as set forth in Item No. 4, Item No. 6, Alternate P-1, Item No. 8, Alternate M-2 and Item No. 7, Alternate M-1 of the Form of Proposal dated October 3, 1930. Said contract calls for an expenditure of fifty-six thousand five hundred and four dollars (\$56,504.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also furnished evidence to the effect that the consent of the Controlling Board to the expenditure has been obtained as required by law. In addition you have submitted a contract bond upon which the Commonwealth Casualty Company appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the

status of surety companies and the workmen's compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2519.

APPROVAL, ABSTRACT OF TITLE TO LAND OF GRANT D. CURTIS IN
THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, November 8, 1930.

The State Office Building Commission, Columbus, Ohio.

GENTLEMEN:—My opinion has been requested with respect to the abstract of title, special warranty deed and encumbrance estimate No. 685, relating to a parcel of land situated in the city of Columbus, Franklin County, Ohio, and more particularly described as follows:

"Being fractional inlot No. one hundred twenty (120), in the city of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Deed Book 'F', page 332, Recorder's Office, Franklin County, Ohio, excepting therefrom the following: beginning at the south-east corner of said inlot No. one hundred twenty (120) and running along the south line of said inlot seventy-two and seven-tenths feet (72.7') to the east line of Scioto Street; thence in a northwesterly direction along the east line of Scioto Street nineteen and thirty-six hundredths feet (19.36') to a point; thence in an easterly direction seventy-four and eighty-two hundredths feet (74.82') to the west line of Front Street; thence in a southerly direction nineteen and twenty-five hundredths feet (19.25') along the west line of Front Street to the place of beginning; and excepting also eight inches (8") off of the north side of said inlot one hundred and twenty (120)."

The above described parcel of real property is the subject of appropriation proceedings in the Probate Court of Franklin County, Ohio, the same being the case of the *State of Ohio vs. Grant D. Curtis, et al.*, No. 62,234 on the civil docket of said court.

The underlying fee simple title in and to said property is owned of record by Grant D. Curtis; and aside from the proceedings had or to be had in the appropriation case, above referred to, said Grant D. Curtis owns and holds said fee simple title subject to an outstanding lease on said property for the term of ninety-nine years, renewable forever, executed by said Grant D. Curtis and Jessie L. Curtis, his wife, to one G. Stark Frambes and likewise subject to the lien of taxes and assessments on said property in the sum of one thousand one hundred ninety dollars and thirty-four cents, and additional taxes for the year 1930, the amount of which is yet undetermined.

In addition to the liens and encumbrances above noted, the interest of said G. Stark Frambes in and to said property under said perpetual leasehold by him owned and held as aforesaid, is subject to the lien of a judgment in the sum of twelve thou-