

1584.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE LUCAS-TINGLE COMPANY, OF CONNERSVILLE, INDIANA, FOR ELECTRIC WIRING IN RECITATION BUILDING, MIAMI UNIVERSITY, OXFORD, OHIO, AT COST OF \$2,061.00.—SURETY BOND EXECUTED BY THE AETNA CASUALTY AND SURETY COMPANY.

COLUMBUS, OHIO, June 23, 1924.

HON. L. A. BOULAY, *Director, Department of Highways and Public Works, Columbus, Ohio.*

Dear Sir:—

You have submitted for my approval contract between the State of Ohio, acting by the Department of Highways and Public Works, and the Lucas-Tingle Company, of Connersville, Indiana. This contract covers the electric wiring in recitation building, Miami University, at Oxford, and calls for an expenditure of \$2,061.00.

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. There has further been submitted a contract bond upon which the Aetna Casualty and Surety 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,

C. C. CRABBE,

Attorney-General

1585.

ABSTRACT, STATUS OF TITLE, LOT NO. 27, HAMILTON'S SECOND GARDEN ADDITION, COLUMBUS, OHIO.

COLUMBUS, OHIO, June 23, 1924.

HON. CHARLES V. TRUAX, *Director of Agriculture, Columbus, Ohio.*

Dear Sir:

This will acknowledge receipt from your department of an abstract covering Lot No. 27 of Hamilton's Second Garden Addition to the City of Columbus, which you submit for our examination and opinion.

Your attention is directed to the necessity of the proper certificate of the Director of Finance to the effect that there are unincumbered balances legally appro-

riated sufficient to cover the purchase price of the premises intended to be purchased. This certificate should accompany the abstract and must be attached to the opinion of this department approving the title before same is submitted to the state auditor.

The abstract under consideration was prepared by Adolph Haak & Co., August 10, 1905, and continuations thereto made by Adolph Haak & Co., abstracters, April 15, 1912, by R. S. Swepston, Attorney at Law, September 10, 1918, and by Kenyon S. Campbell, Attorney at Law, June 18, 1924, and pertains to the following premises:

Being Lot 27, excepting six feet off the rear end of said lot reserved for use as an alley, of Hamilton's Second Garden Addition, of the City of Columbus, as the same is numbered and delineated on the recorded plat thereof, recorded in Plat Book 7, page 186, Recorder's Office, Franklin County, Ohio.

Upon examination of said abstract, I am of the opinion same shows a good and merchantable title to said premises in John T. Horrigan, subject to the following exceptions:

There appear to be one or two minor deficiencies in the early history of the title, but I am of the opinion, because of a considerable lapse of time, same may be disregarded.

Attention is directed to certain restrictions against the use of the premises for the erection of any buildings to be used for slaughter houses, the killing of animals or the use of said premises for the sale of intoxicating liquors and malt beverages. These restrictions follow the premises for a period of twenty-five years from the date of the subdivision.

The abstract states no examination has been made in the United States District or Circuit Courts or any subdivision thereof.

Your attention is directed to an unsatisfied and uncanceled mortgage by the present owner, John T. Horrigan to the Union Building and Savings Company of the City of Columbus, given to secure grantor's obligation in the sum of \$400.00. A proper release showing payment of this mortgage must be procured before the final consummation of the purchase of this property.

Attention is also directed to the taxes for the last half of the year 1923 in the sum of \$13.34, which are now due and payable. Taxes for the year 1924, as yet undetermined, are a lien. There is also a special assessment for street cleaning, amounting to 88c, due in December, 1924. These taxes and assessments should be paid before the final consummation of the purchase of the property.

It is suggested that the proper execution of a general warranty deed by John T. Horrigan, and wife, if married, will be sufficient to convey the title of said premises to the State of Ohio when properly delivered.

The abstract is herewith returned.

Respectfully,

C. C. CRABBE,
Attorney General.