

5043.

APPROVAL, BONDS OF CITY OF CLEVELAND, CUYAHOGA COUNTY, OHIO, \$5,000.00.

COLUMBUS, OHIO, December 27, 1935.

State Employees Retirement Board, Columbus, Ohio.

5044.

APPROVAL, ABSTRACT OF TITLE, ETC., TO LAND IN OBERLIN, OHIO—GRANITE IMPROVEMENT COMPANY, OBERLIN, OHIO.

COLUMBUS, OHIO, December 27, 1935.

HON. JOHN JASTER, JR., *Director, Department of Highways, Columbus, Ohio.*

DEAR SIR:—There has been submitted to me for my approval an abstract of title, warranty deed, encumbrance record No. 1506, controlling Board certificate and other files relating to the proposed purchase by the state of Ohio of a tract of land owned of record by the Granite Improvement Company in the city of Oberlin, Ohio, which tract of land is more particularly described as follows:

ALL THAT CERTAIN piece or parcel of land SITUATE in the City of Oberlin, County of Lorain and State of Ohio and being part of original Russia Township Lot No. 84, bounded and described as follows, viz:

BEGINNING at a point formed by the intersection of the Westerly Corporation Line of the City of Oberlin with the middle line of Lorain Street, seventy-five feet wide, said Lorain Street crossing the former main track of railroad of the Lorain Ashland and Southern Railroad, now abandoned, immediately North of said Railroad Company's former Oberlin Passenger Station; extending from said beginning point Eastwardly, along said middle line of Lorain Street, the distance of three hundred feet to a point; thence by land of the Granite Improvement Company, the following three courses and distances: (1) Southwardly, on a line parallel with said Westerly Corporation Line of the City of Oberlin, crossing the

Southerly line of said Lorain Street, one hundred and eighty-seven feet and five-tenths of a foot to a point; (2) Eastwardly, on a line parallel with said middle line of Lorain Street, eighty feet to a point, and (3) Southwardly, on a line parallel with said Westerly Corporation Line of the City of Oberlin, four hundred and fourteen feet and five-tenths of a foot to a point in the Northerly line of land now or formerly of Z. K. Wilson; thence Westwardly, by said land now or formerly of Z. K. Wilson, on a line parallel with said middle line of Lorain Street, the distance of three hundred and eighty feet to a point in said Westerly Corporation line of the City of Oberlin, and thence Northwardly, along said Westerly Corporation Line of the City of Oberlin, recrossing said Southerly line of Lorain Street, the distance of six hundred and two feet to the place of beginning. CONTAINING two hundred and thirteen thousand seven hundred and sixty square feet, more or less.

(BEING part of the premises which The Lorain, Ashland and Southern Railroad Company by Deed dated February 2nd, 1932 and recorded in the Office for the Recording of Deeds etc. in and for Lorain County, Ohio, in Deed Book No. 264 page 71, granted and conveyed unto said Granite Improvement Company.)

Upon examination of the abstract of title submitted and a certificate of title which supplements said abstract and covers the history of the title to this property from the date of the abstract down to the present time, I find that the Granite Improvement Company, a corporation, has a good and indefeasible fee simple title to this property and that the same is free and clear of all encumbrances except the undetermined taxes for the year 1935, which are a lien upon the property. The lien on real property for taxes thereon is the lien of the state itself, and such lien will, of course, be merged and lost in the larger fee simple title in and by which the state will acquire this property upon the conveyance thereof by the Granite Improvement Company. However, if any agreement has been made by and between your department and the Granite Improvement Company or with any other authorized person or persons acting upon its behalf, with respect to the payment of the taxes on this property for the year 1935, these taxes should be paid in accordance with such agreement.

Upon examination of the deed tendered to the state by the Granite Improvement Company, I find that said deed has been properly executed and acknowledged by said company by the hands of its president and assistant secretary in the manner provided by law and I further find that the form of this deed is such that the same is legally sufficient to convey the above described property to the state of Ohio by fee simple title with a covenant that said premises are free and clear from all encumbrances whatsoever.

Contract encumbrance record No. 1506, which has been submitted as a part of the files relating to the purchase of the above described property, has been properly executed and the same shows a sufficient balance in the appropriation account to pay the purchase price of this property, which purchase price is the sum of \$1500.00. I likewise find from a recital in this contract encumbrance record, as well as from the certificate of the Controlling Board, that the purchase of this property has been approved by said board and that the money necessary to pay the purchase price of this property has been released for said purpose.

I am, therefore, approving the abstract of title and the certificate of title submitted therewith, as well as the warranty deed, contract encumbrance record and other files relating to the purchase of this property and I am herewith returning to you all of the files above referred to for your use in the preparation of a voucher payable to the Granite Improvement Company covering the purchase price of this property.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5045.

APPROVAL, ABSTRACT OF TITLE, ETC., TO LAND IN THE
CITY OF BUCYRUS, CRAWFORD COUNTY, OHIO—
NATIONAL CITY BANK OF CLEVELAND.

COLUMBUS, OHIO, December 27, 1935.

HON. JOHN JASTER, JR., *Director, Department of Highways, Columbus, Ohio.*

DEAR SIR:—Receipt of your letter of December 19, 1935, transmitting the abstract of part of Outlot No. 20 in the City of Bucyrus, Crawford County, Ohio, last supplemented and continued to 10:00 A. M. November 20, 1935, by John C. Carroll, together with accompanying files, and requesting examination and opinion thereon is acknowledged.

Each and all of the items of the file therewith transmitted and herewith returned are listed or referred to in your letter as follows:

“Encumbrance Record No. 1507 Amount \$2100.00
Deposit receipt County Treasurer for 1935 taxes
Letter statement of Crawford County Treasurer, 12/6/35
Deed (National City Bank to State of Ohio)