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## APPROVAL, ABSTRACT OF TITLE AND WARRANTY DEED ON PREMISES IN FRANKLIN TOWNSHIP, ROSS COUNTY, OHIO.

COLUMBUS, OHIO, November 19, 1925.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—Examination of an abstract of title and warranty deed submitted by you to this department for examination and opinion, discloses the following:

The abstract under consideration was first prepared and certified under date of August 24, 1907, and later supplemented, extended and certified under date of August 29, 1925, and finally certified under date of November 10, 1925, and pertains to the following premises, to wit:

Situated in Franklin township, Ross county, Ohio, and being 407.75 acres of survey No. 13441 and 86.50 acres of survey No. 13469, and totaling 494.50 acres more or less.

Upon examination of said abstract, I am of the opinion that same shows a good and merchantable title to said premises in Marcella Tripp, subject to the following exceptions:

At section 12 of the original abstract there appears a mortgage uncanceled of record. However, in view of the fact that said mortgage bears date of April 3, 1867, and the maturity of the last note being April 30, 1870, and fifty-five years having elapsed, it is believed this defect may be disregarded.

Attention is also directed to the matter of an uncanceled mortgage shown at section 101, page 17 of the last continuation, for the sum of \$3,000 given under date of June 13, 1925. Evidence of the proper release of this mortgage must be submitted before the final consummation of the purchase of the premises here under consideration.

Attention is also directed to the matter of taxes for the year 1925 which became a lien on the first Monday in April, but the amount of which are as yet undetermined.

It is further suggested that the proper delivery of the already executed deed submitted with the abstract will be sufficient to convey title of said premises to the State of Ohio.

Attention is also directed to the necessity of the proper encumbrance certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated sufficient to cover the purchase price before the purchase can be consummated.

Attention is also directed to the provisions of section 12 of the general appropriation act of the 86th General Assembly, which provides that no moneys herein appropriated for the purchase of real estate shall be expended without the consent and approval of the controlling board. This provision must be complied with and properly evidenced before the above purchase can be legally consummated.

The abstract of title and warranty deed submitted by you are herewith returned.

Respectfully,

C. C. CRABBE,

*Attorney General.*