

1885.

APPROVAL, ABSTRACT OF TITLE TO LAND OF WILLIAM H. BRUCE,
IN THE VILLAGE OF OXFORD, BUTLER COUNTY, OHIO.

COLUMBUS, OHIO, March 21, 1928.

HON. W. P. ROUDEBUSH, *Secretary, Board of Trustees, Miami University, Oxford, Ohio.*

DEAR SIR:—There has been submitted to me for examination and opinion an abstract of title, warranty deed and encumbrance estimate covering a tract of real estate situated in the Village of Oxford, Butler County, Ohio, and more particularly described as follows:

“All that lot or tract of land designated on the subdivision of land made by Joshua Davis, Sr., of outlot number twenty-nine (29) in the Village of Oxford, Butler County, Ohio, by lot number four (4), being one-half ($\frac{1}{2}$) acre taken off the south side of the north half of said outlot number twenty-nine (29), subject to the payment of an annual ground rent to the Treasurer of Miami University of one dollar (\$1.00) on the twenty-second (22nd) day of May of each and every year.”

Although from my examination of the abstract as corrected I am unable to find that William H. Bruce, the record owner of said tract of land, has a fee simple legal title to said land, I am clearly of the opinion that he has an equitable estate and interest therein, which upon conveyance by the delivery of the warranty deed above mentioned will vest an indefeasible title to said land in the President and Trustees of the Miami University.

From the abstract and deed submitted it appears that all taxes due and payable upon said premises have been paid and that the only taxes that are a lien on said premises are those for the last half of the year 1927, which are due and payable in June, 1928, and which by the terms of the deed are to be assumed and paid by the grantee, the President and Trustees of the Miami University, and no other liens or encumbrances are noted in said abstract.

An examination of the deed shows that the same is properly executed and that the same is in form sufficient to convey to the President and Trustees of the Miami University, all the right, title and interest of the said William H. Bruce to said property. In this connection it appears that the said William H. Bruce is a single man and that there is therefore no outstanding dower interest to be conveyed.

The encumbrance estimate above mentioned is properly executed and shows that there are unencumbered balances in the appropriation act sufficient to pay the purchase price of said property.

I am herewith returning to you said warranty deed and encumbrance estimate. I am retaining the abstract for the reason that the same contains a history of the title of two other tracts out of Outlot No. 29, which are to be purchased later.

Respectfully,
EDWARD C. TURNER,
Attorney General.