

2132.

APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN
LAKE COUNTY.

COLUMBUS, OHIO, May 18, 1928.

HON. GEORGE F. SCHLESINGER, *Director of Highways, Columbus, Ohio.*

2133.

APPROVAL, ABSTRACT OF TITLE TO LAND OF HELEN MILLER AND
GEORGE MILLER IN THE VILLAGE OF NEWTOWN, HAMILTON
COUNTY, OHIO.

COLUMBUS, OHIO, May 18, 1928.

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

DEAR SIR:—You recently submitted to this department an abstract of title and warranty deed of one Helen Miller and George Miller, her husband, covering certain real estate in the Village of Newtown, Hamilton County, Ohio, and more particularly described as follows:

“Being part of lots numbered five (5) and six (6) of James Taylor Estate in Military Survey number 2276, Anderson Township, and being in the Village of Newtown, Hamilton County, Ohio, and recorded in Deed Book 81, Page 266 of Hamilton County, Ohio, records: Beginning at the southwest corner of said lot number six (6), thence with the west line of said lot north five degrees (5°) east, one hundred and eighty four (184) feet; thence north eighty-nine degrees, eleven minutes (89° 11′) east, two hundred and eight (208) feet to the Jones-Burdsal line; thence with said line south three degrees and thirty-five minutes (3° 35′) west, one hundred and seventy-nine (179) feet to the south line of said lot number five (5), thence with the south line of said lots five (5) and six (6) south eighty-eight degrees (88°) west, two hundred and thirteen (213) feet to the beginning, and all of said property lying and being south of what is known as the Township Ditch, extending through said lots parallel with the Batavia Pike.”

The early history of the title to the premises here under consideration and of other contiguous lands is hopelessly involved and so disconnected that said title can not be traced with any assurance of accuracy back to the original source of title. Assuming however as seems quite clearly to be the case, that in the year 1845 Daniel Jones was the owner of record of lot No. 6 and of the west half of lot No. 5 of James Taylor's estate in Military Survey No. 2276, I am satisfied that the right, title and interest of said Daniel Jones in said premises had ripened into a full fee simple title long prior to his death which occurred apparently a short time prior to the year 1902.

In the partition suit noted in the abstract which resulted in the execution and delivery of the deed of the sheriff of Hamilton County conveying to Louise Jones Darby the above described premises and other lands of which said Daniel Jones died seized, the rights and interests of all the heirs of said Daniel Jones were concluded and said Louise Jones Darby in my opinion took an indefeasible title to the lands in said deed described, including the premises here under investigation. Thereafter the above described premises as a part of other lands conveyed passed by successive conveyance from Louise Jones Darby to Arthur H. Fix, then to Lillian Fix, and thereafter from said Lillian Fix to Helen Miller the present owner and holder of said premises.

From my examination of said abstract I am of the opinion that said Helen Miller has a good and merchantable fee simple title to the above described premises, subject only to the unpaid taxes that may now be a lien thereon and subject to the liens which your department now has on said premises. As I am advised that your department under the terms of said lease, has been paying the taxes on this land, you are doubtless aware of the situation with respect to the matter of unpaid taxes which as above noted are a lien on said premises. In this connection it should be noted however, that the taxes for the year 1926, the amount of which is undetermined are a lien on said lands.

I have examined the deed tendered by Helen Miller and George Miller, her husband, for the purpose of conveying said premises to the State of Ohio, and find the same to be properly signed and acknowledged by said grantors, and same is accordingly herewith approved.

No encumbrance estimate or Controlling Board's certificate with respect to the purchase of this property has been submitted, and it is to be understood that the approval of this department of the above matters relating to the purchase of this property is subject to the conditions that an encumbrance estimate and Controlling Board's certificate be furnished before the purchase of said premises is consummated.

Respectfully,

EDWARD C. TURNER,

Attorney General.

2134.

DISAPPROVAL, ABSTRACT OF TITLE TO LAND OF T. J. SANDERS, IN
GREEN AND JEFFERSON TOWNSHIPS, ADAMS COUNTY, OHIO.

COLUMBUS, OHIO, May 19, 1928.

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

DEAR SIR:—This is to acknowledge receipt of your recent communication enclosing an abstract of title and a warranty deed of one T. J. Sanders covering certain lands in Green and Jefferson Townships, Adams County, Ohio, and more particularly described as follows:

“Beginning at a Red Oak corner to Survey No. 15625 and corner to Riley Blevins Preemption Claim No. 4; thence with said claim North 24 degrees West 126 poles to a stone. A White Oak six inches in diameter bears north 24 degrees 30 minutes, East 20 links, a Black Oak 24 inches in diameter bears North 77 degrees 50 minutes East 5 links; thence South 66 degrees West 38 poles to a stone; thence South 24 degrees East 70 poles to a stone on Bald Point; thence South 24 degrees East 45 poles to a Chestnut Oak and two Pines on a ridge corner to lot 43; thence with same North 87 degrees 45 minutes West 130 poles to a stone corner to lots 44 and 46; thence