

It will be noted that the abstract as submitted was certified under date of July 28, 1926. In view of the considerable lapse of time since such certification, it is believed that a further certification of said abstract should now be had bringing same up to date.

Attention is also directed to the form of the warranty deed as submitted. The language therein used to designate the grantee is not satisfactory or sufficient, and should be corrected to read as follows:

“State of Ohio (for use of Department of Highways and Public Works), its successors and assigns forever.”

The word “heirs” should be left out.

The above suggested form of designating the grantee should be used throughout the deed. Said warranty deed in other respects is in proper form and will be sufficient to convey the premises to the State of Ohio when corrected as suggested above, re-executed and properly delivered.

Attention is also directed to the description of said premises as used in the minutes of the Controlling Board approving said purchase. The description therein does not conform to the description used in the warranty deed, and must be corrected.

You have also submitted encumbrance estimate 1855 covering the consideration for this purchase, which has been regularly certified by the Director of Finance under date of January 22, 1926.

The abstract of title, warranty deed, encumbrance estimate and other data submitted by you are herewith returned.

Respectfully,
C. C. CRABBE,
Attorney General.

3818.

APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN
HOCKING AND COSHOCTON COUNTIES.

COLUMBUS, OHIO, November 17, 1926.

Department of Highways and Public Works, Division of Highways, Columbus, Ohio.

3819.

ABSTRACT, STATUS OF TITLE TO 147 ACRES OF LAND IN PERRY
TOWNSHIP, PIKE COUNTY, BEING SURVEY 14215, AND A PART OF
WALLACE & EVANS' SURVEY NO. 13015.

COLUMBUS, OHIO, November 17, 1926.

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

DEAR SIR:—Examination of an abstract and other data submitted by you for my examination and approval, discloses the following:

The abstract as submitted was finally certified about November 9, 1926, and pertains to 147 acres of land located in Perry Township, Pike County, Ohio, and being

the whole of Survey 14215, and a part of Wallace and Evans' Survey No. 13015, and being more particularly described in the caption of the abstract to which this opinion is attached.

Upon examination of said abstract, I am of the opinion that same shows a sufficient title to the premises under consideration in James W. Totten, subject to the following:

Page 17 of the abstract shows an uncancelled mortgage by the present owner and wife to L. A. Pearson, said mortgage being in the sum of \$400.00 given to secure a note of like amount dated December 1, 1925, due in three years from said date. I am advised by Kibler and Kibler, attorneys, of Newark, Ohio, who represent the present owner, James W. Totten, that said mortgage is to be paid out of the proceeds of the sale to the State of Ohio, and that the cancellation of said mortgage will be arranged at the time of the final consummation of this transaction.

All taxes due and payable up to date, have been paid. The taxes for the year 1926 are a lien, but the amount of same has not as yet been determined.

The warranty deed as submitted has already been properly executed and will be sufficient to convey the premises under consideration when properly delivered.

Encumbrance estimate No. 945 covering the consideration for the purchase of these premises has also been submitted, and is regularly certified by the Director of Finance under date of October 14, 1926.

It appears from your communication that the approval of the Controlling Board has also been obtained. In this connection, however, it is suggested that a copy of the minutes showing such approval, be attached to the abstract.

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

Respectfully,

C. C. CRABBE,

Attorney General.

3820.

APPROVAL, LEASE ON MIAMI & ERIE, OHIO & ERIE CANALS; BUCK-EYE, INDIAN, AND LORAMIE LAKES, AND WEST RESERVOIR.

COLUMBUS, OHIO, November 18, 1926.

Department of Highways and Public Works, Division of Public Works, Columbus, Ohio.

GENTLEMEN:—I have your letter of November 11, 1926, in which you enclose the following leases, in triplicate, for my approval:

<i>Miami and Erie Canal</i>	<i>Valuation</i>
The Allen & Wheeler Co., land lease-----	\$2,000 00
B. Brickman, land lease-----	166 67
Nick Conomos, land lease-----	333 34
The Crescent Printing Co., land lease-----	833 34
The Detroit & Iron-ton R. R. Co., land lease-----	400 00
F. B. Diehl, land lease-----	175 00
Gondert & Lienesch, land lease-----	4,200 00
J. E. Hammon, land lease-----	150 00
Carl Hench, land lease-----	250 00