

from other sources that the premises here under consideration have not been the subject of any litigation in the federal courts, this deficiency in the abstract may be disregarded.

An examination of the warranty deed as submitted by your department shows the same to be a regularly drawn warranty deed in proper form and properly executed by Grace V. Hughes, an unmarried person, which deed it is believed will be sufficient to convey a fee simple title to the State of Ohio when same is properly delivered.

The abstract and warranty deed submitted by your department to this office for examination are herewith returned.

Respectfully,
C. C. CRABBE,
Attorney General.

1601.

APPROVAL, FINAL RESOLUTIONS, ROAD IMPROVEMENTS IN THE FOLLOWING COUNTIES: WARREN, FAIRFIELD, MONROE AND JACKSON.

COLUMBUS, OHIO, July 3, 1924.

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

1602.

INTER COUNTY HIGHWAY—WHAT CONSTITUTES A PROCEEDING UNDER SECTION 26 G. C.—WHEN SUCH PROCEEDING IS PENDING.

COLUMBUS, ONIO, July 7, 1924.

SYLLABUS:

1. *The various steps before a board of county commissioners and the director of highways and public works, in connection with a state aid road improvement project under the provisions of Section 1191 of the General Code, and related sections, wherein it is sought to construct, improve, maintain or repair an inter-county highway, constitute a "proceeding" within the contemplation of Section 26 of the General Code.*

2. *Such a proceeding is pending, within the contemplation of said Section 26 of the General Code (a) when the owners of twenty-five per cent of the lineal feet abutting on the inter-county highway petition the county commissioners for its construction, improvement, maintenance or repair, under the provisions of the state aid road law; or (b) when the county commissioners, without the presentation of any petition, or the township trustees, under the conditions as set out in Section 1192 of the General Code, make application to the director of highways and public works for aid in the construction, improvement, maintenance or repair of an inter-county highway, under the provisions of said law.*