

867.

## APPROVAL, ABSTRACT OF TITLE TO LAND IN CITY OF SPRINGFIELD, CLARK COUNTY, OHIO.

COLUMBUS, OHIO, August 16, 1927.

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

DEAR SIR:—You have submitted for my opinion an abstract of title continued and certified under date of June 3, 1927, by W. H. Griffith, Abstracter, of Springfield, Ohio, supplemented by two blue prints of Plat No. 2 and No. 3 of Maplewood Addition to the City of Springfield, covering the property under investigation in the abstract. You have also submitted letter from the Controlling Board showing approval of the purchase by such board, encumbrance estimate No. 1565, and a deed, unexecuted, for Lots Nos. 97, 98 and 99 of Maplewood Addition, Sub-division 1 to the City of Springfield, recorded in Vol. 7 at page 60 of the Plat Records of Clark County, Ohio.

After an examination of the abstract of title and the plats, it is my opinion that William L. Foster has a good and merchantable title in said premises subject to the following condition and liens:

1. In the deed from Clarence J. Foster and Catherine M. Foster, his wife, to William L. Foster, dated June 14, 1917, the grant was subject to a condition or restriction that the property should not be used nor any building erected thereon for a saloon or immoral purposes, and in the event of use for such purposes or permit the same to be used, the grantee, his heirs and assigns shall forfeit all right, title and interest in the premises. The premises are also subject to the building restriction of the general improvement plan of said Addition to the effect that no house shall be erected west of the D. T. & I. Railroad to cost less than \$1,200.00; no house shall be erected east of the D. T. & I. Railroad to cost less than \$1,000.00; and no house shall be erected on any lot in said Addition nearer than twenty feet from the front lot line.

2. The last half of 1926 tax payable in June, 1927, is unpaid and in the following amounts: Lot No. 97, \$1.32; Lot No. 98, \$0.97; and Lot No. 99, \$6.86.

3. The 1927 taxes, amount undetermined, are also a lien.

There are the following unpaid assessments:

Lot No. 97 assessed for gravelling of street, No. 16894, for 1927, \$14.40, for 1928, \$13.83 and for 1929, \$13.26.

Lot No. 98 assessed for gravelling of street, No. 16895, for 1927, \$11.24, for 1928, \$10.79 and for 1929, \$10.35.

The encumbrance estimate is numbered 1565 and dated June 25, 1927, in favor of William L. Foster and Mary M. Foster, his wife, of Springfield, by which \$2,060.00 is appropriated from the M. & R. account for the purchase of the land for a highway storage site. The encumbrance estimate has been certified by the Director of Finance under date of July 29, 1927, and approved by yourself.

Accompanying this encumbrance estimate is the notice of the Secretary of the

Controlling Board that at a meeting of the Board on July 20, 1927, approval was granted for the purchase of the land under investigation.

The deed is complete except the execution and acknowledgment of the grantors, and will when properly executed, acknowledged and delivered be sufficient to convey the premises to the State of Ohio.

The abstract and accompanying data, the deed and the encumbrance estimate are herewith returned.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

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APPROVAL, RESOLUTION FOR SALE OF ABANDONED CANAL LAND  
IN WASHINGTON TOWNSHIP, PICKAWAY COUNTY.

COLUMBUS, OHIO, August 16, 1927.

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

DEAR SIR:—Receipt is acknowledged of your communication of August 10, 1927, enclosing for my approval, resolution in duplicate, for the sale of the following abandoned canal land:

“That portion of the abandoned Ohio Canal property located in the Southeast Quarter of Section 1, Town 4 N., Range 22 W., Washington Township, Pickaway County, Ohio, and described as follows:

Beginning at a point in the transit line of the A. Albright Survey of said canal property at Station 3114-01.76; thence S. 5° 22' E., (forming an angle of 29° 45' with said transit line) 27.03 feet to the southwesterly line of said canal property; thence S. 34° 49' E., with said southwesterly line 203.39 feet; thence N. 5° 22' W., 171.21 feet, to the northeasterly line of said canal property; thence N. 35° 28' with said northeasterly line 199.4 feet; thence S. 5° 22' E., 139.58 feet to the place of beginning and containing 0.388 acres.”

to the Chesapeake and Hocking Railway Company of Richmond, Virginia.

The land is being sold at private sale under the provisions of Section 13971 of the General Code, in view of its appraisal at two hundred dollars (\$200.00).

Finding that said sale is authorized under the provisions of Section 13971, *supra*, and that said resolution is in proper form and legal, I have entered my approval upon the resolution.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*