

2168.

APPROVAL, FINAL RESOLUTIONS ON ROAD IMPROVEMENTS IN
COLUMBIANA COUNTY, OHIO.

COLUMBUS, OHIO, May 28, 1928.

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

2169.

DISAPPROVAL, ABSTRACT OF TITLE TO LAND OF W. H. HARKNESS AND
WIFE, IN CLAY TOWNSHIP, MUSKINGUM COUNTY, OHIO.

COLUMBUS, OHIO, May 28, 1928.

HON. JOHN E. HARPER, *Director of Public Welfare, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your recent communication enclosing an abstract of title and a warranty deed executed by W. H. Harkness and wife, covering a certain tract of land situated in Clay Township, Muskingum County, Ohio, and which is more particularly described in said deed as follows:

“Situated in the northwest quarter of Section No. 3, Range 14, and Township 14, beginning at an iron pin in the south line of the tract of land purchased by the State of Ohio from the Tri-County Brick Co.; thence South 57 degrees 45 minutes East 6.34 chains to an iron pin in the said South line; thence South 1 degree 17 minutes East 4.00 chains to an iron pin; thence South 52 degrees 13 minutes East 8.23 chains to a stone in the South line of the William H. Harkness tract. Thence North 71 degrees 00 minutes West 15.60 chains to an iron pin in the East line of the Zanesville, Marietta & Parkersburg Ry. right of way, thence along the said East line of the Zanesville, Marietta & Parkersburg right of way North 21 degrees 43 minutes East 7.56 chains to the place of beginning, containing 5.84 acres more or less. It is the intention of this deed to describe all the lands now held by the said William H. Harkness in Section No. 3 Clay Township, Muskingum County, Ohio.”

An examination of the abstract of title submitted shows that there are some defects in the very early history of the title of land, including that here under investigation, which defects can be safely waived on account of the lapse of time. However, there is one objection noted in my examination of this abstract which makes it impossible for me to approve the title of said W. H. Harkness to the tract of land here under investigation.

It appears from the abstract that on April 22, 1911, one Alice Bell Harkness died intestate seized in fee simple title of a tract of 62 acres of land, including the above described tract of land here under investigation. On her death Alice Bell Harkness left surviving her W. H. Harkness her husband and the following named children: Delmar W. Harkness, Bertie M. Harkness, Daisy L. Rider and Earl Dale Harkness.