

There appear to be one or two minor deficiencies in the early history of the title, but I am of the opinion, because of a considerable lapse of time, same may be disregarded.

Attention is directed to certain restrictions against the use of the premises for the erection of any buildings to be used for slaughter houses, the killing of animals or the use of said premises for the sale of intoxicating liquors and malt beverages. These restrictions follow the premises for a period of twenty-five years from the date of the subdivision.

The abstract states no examination has been made in the United States District or Circuit Courts or any subdivisions thereof.

Attention is directed to an uncanceled mortgage set forth in section 7 of the last continuation, said mortgage being given to The Buckeye State Building and Loan Company by Mary Etta Allis and husband to secure their obligation in the sum of \$850.00, payable in monthly installments of \$8.50 each. A proper release of this mortgage must be procured before the final consummation of the purchase of this property.

The taxes for the last half of the year 1923, amounting to \$21.62, due and payable in June 1924, and the taxes for the year 1924, amount as yet undetermined, are a lien.

Attention is also directed to the balance of a special assessment for the improvement of Clara Street, amounting to \$80.22, the next installment of which, amounting to \$26.73, and interest, will be due in December, 1924.

It is suggested that the proper execution of a general warranty deed by Mary E. Allis and husband will be sufficient to convey the title of said premises to the State of Ohio when properly delivered.

Attention is also directed to the necessity of the proper certificate of the Director of Finance, to the effect that there are unincumbered balances legally appropriated sufficient to cover the purchase price before the purchase can be consummated.

The abstract is herewith returned.

Respectfully,
C. C. CRABBE,
Attorney-General.

1496.

ABSTRACT, STATUS OF TITLE, LOT NO. 65, HAMILTON'S SECOND GARDEN ADDITION, COLUMBUS, OHIO.

COLUMBUS, OHIO, May 19, 1924.

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

Dear Sir:

An examination of an abstract of title submitted by your office to this department discloses the following:

The last continuation of the abstract under consideration bears date of May 9, 1924, and pertains to the following premises:

Being Lot No. 65, of Hamilton's Second Garden Addition to the City of Columbus, Ohio, excepting six feet off the rear end thereof reserved for

an alley, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 186, Recorder's Office, Franklin County, Ohio.

Upon examination of said abstract, I am of the opinion same shows a good and merchantable title to said premises in Freeman and Florence E. Van Wagner, subject to the following exceptions:

There appear to be one or two minor deficiencies in the early history of the title, but I am of the opinion, because of a considerable lapse of time, same may be disregarded.

Attention is directed to certain restrictions against the use of the premises for the erection of any buildings to be used for slaughter houses, the killing of animals or the use of said premises for the sale of intoxicating liquors and malt beverages. These restrictions follow the premises for a period of twenty-five years from the date of the subdivision.

The abstract states no examination has been made in the United States District or Circuit Courts or any subdivision thereof.

Attention is directed to a mortgage in the sum of \$1,500.00, as set forth in the last continuation, section 5½. Said mortgage was given to Homer B. McColley by Freeman Van Wagner and Florence Ethel Van Wagner, his wife, on the premises under consideration, in the sum of \$1,500.00. This mortgage is uncanceled and a proper release of same should be procured before the final consummation of the purchase of these premises.

Taxes for the last half of the year 1923, amounting to \$15.80, and the taxes for the year 1924, amount as yet undetermined, are a lien.

Attention is also directed to the balance of a special assessment for the improvement of Clara Street, amounting to \$80.21, with interest, the next installment of which, amounting to \$26.73 and interest will be due in December, 1924.

It is suggested that the proper execution of a general warranty deed by Freeman and Florence E. Van Wagner, will be sufficient to convey the title of said premises to the State of Ohio, when properly delivered.

Attention is also directed to the necessity of the proper certificate of the Director of Finance, to the effect that there are unincumbered balances legally appropriated sufficient to cover the purchase price before the purchase can be consummated.

The abstract is herewith returned.

Respectfully,
C. C. CRABBE,
Attorney-General.