

and his daughter Lizzie, to hold and to use the same as long as his wife lived; and at the death of his wife, whatever was left of the estate, one-half should go to Lizzie and the other one-half to his daughter Martha and his son Samuel in equal parts. In 1906, Martha A. Cooper, widow, Samuel H. Cooper and Margaret S. Cooper, his wife, and Martha Armacost, widow, stated in the deed to be the sole heirs-at-law and legatees under the will of John Cooper, deeded all of Fractional Lot No. 12 to S. N. Galbreath. The abstract does not disclose what disposition was made of Lizzie Cooper's interest in this property. This information must be supplied by the Abstracter either from the records or by affidavits.

The title to Fraction Lot No. 12 is so imperfect and the time that has elapsed since these old deeds were made is so long that probably nothing in the way of quit-claim deeds can now be obtained to clear the title, and all that remains to be done is to secure affidavits covering the above mentioned discrepancies and other affidavits covering the adverse occupancy and user of this Fractional Lot No. 12.

5. The 1927 taxes are unpaid and a lien.

The encumbrance estimate is numbered 3409, dated July 16, 1927, approved by H. B. Briggs, State Architect and G. F. Schlesinger, Director of Highways and Public Works, under date of July 20, 1927, and July 22, 1927, respectively, and by the U. S. Grant Memorial Commission by Allen B. Nichols, Chairman. The Director of Finance under date of September 21, 1927, certifies that there are unencumbered balances legally appropriated, sufficient to pay the sum of \$300.00, the purchase price of the property. This encumbrance estimate is in proper form and is approved.

Evidence of the approval and consent of the Controlling Board to the expenditure of funds for this purchase has not been submitted to me.

The deed has been executed by Jessie Anna Allison and Charles M. Allison, her husband, and by them acknowledged before a Notary Public under date of September 21, 1927, and in other respects is in proper form. If the title is shown to be good in Mrs. Allison, this deed will, when properly delivered, convey the premises under consideration to the State of Ohio.

The abstract of title, encumbrance estimate and deed are herewith returned.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1155

DISAPPROVAL, ABSTRACT OF TITLE TO LAND IN THE VILLAGE OF
POINT PLEASANT, CLERMONT COUNTY, OHIO

COLUMBUS, OHIO, October 15, 1927.

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

DEAR SIR:—You have submitted an abstract of title, certified under date of September 20, 1927, by N. G. Cover, Abstracter, of Batavia, Ohio, which is accompanied by an encumbrance estimate, both covering Inlots Nos. 22, 27, and 30 in the Village of Point Pleasant, Clermont County, Ohio, standing in the name of Carl E. Hostetter.

After an examination of the abstract of title, it is my opinion that Carl E. Hostetter has a good and merchantable title in said premises, subject to the lien for the 1927 taxes, the amount of which are yet undetermined.

The encumbrance estimate is numbered 1563, dated May 31, 1927, and covers an appropriation from the U. S. Grant Memorial Commission Fund. It has been approved under date of June 15, 1927, by the State Architect and G. F. Schlesinger, Director of Highways and Public Works. It has also been approved by the U. S. Grant Memorial Commission by Allen B. Nichols, Chairman. The Director of Finance under date of September 21, 1927, certifies that there are unencumbered balances legally appropriated, sufficient to pay the sum of \$1,800.00, the purchase price of the property.

I do not find any evidence of the consent and approval by the Controlling Board to the expenditure of funds for the purchase.

No deed has been submitted covering the transfer of this property to the State of Ohio.

The abstract of title and encumbrance estimate are herewith returned.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1156.

APPROVAL, ABSTRACT OF TITLE TO LAND AT BUCKEYE LAKE,
FAIRFIELD COUNTY, OHIO.

COLUMBUS, OHIO, October 15, 1927.

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

GENTLEMEN:—You have resubmitted, for my examination and opinion, an abstract of title, warranty deeds and encumbrance certificates pertaining to the proposed purchase of three tracts of land at Buckeye Lake, in Fairfield County, Ohio, from Fred C. Lieber and Mary Lieber, his wife, Stella M. Lathem and Caroline L. Huber, respectively, for road purposes.

From an examination of the above, it now appears that the defects and objections set out in an opinion of this department to you, dated June 9, 1927, and bearing number 595, have been corrected, except that the taxes for the year 1927 remain unpaid and a lien. I am, however, informed that the amount of said taxes will be deducted from the amount of the purchase price in each case, or the payment thereof otherwise secured.

I am therefore of the opinion that said abstract of title shows a good and merchantable title in Fred C. Lieber and Mary Lieber, his wife, Stella M. Lathem and Caroline L. Huber, in and to the respective tracts which the state proposes to purchase.

Finding the warranty deeds submitted from the above named persons, as grantors, to the State of Ohio, and the encumbrance certificates relative to the respective purchases, in proper legal form, I hereby approve the same.

I am returning the abstract of title, warranty deeds, encumbrance certificates, and other papers submitted in the above connection to you herewith.

Respectfully,
EDWARD C. TURNER,
Attorney General.