

2924.

APPROVAL, BONDS OF LORAIN COUNTY—\$74,000.00.

COLUMBUS, OHIO, November 23, 1928.

Industrial Commission of Ohio, Columbus, Ohio.

2925.

MUNICIPALITY—MAY NOT CONVEY MUNICIPAL LANDS TO STATE EXCEPT PURSUANT TO ADVERTISEMENT AND PUBLIC BID—DIRECTOR OF AGRICULTURE MUST HAVE ABSTRACT OF TITLE BEFORE CONVEYANCE CAN BE ACCEPTED.

SYLLABUS:

1. *A municipality may not convey to the state, for the use of the Department of Agriculture as a fish hatchery, lands owned by said municipality, except in pursuance to advertisements and sale to the highest bidder under the provisions of Section 3699, General Code.*

2. *The Director of Agriculture, under the provisions of Section 1117-2, General Code, may acquire lands by purchase or lease for the purpose of establishing a fish hatchery. In such instances abstracts of title should be obtained, before the acceptance of the conveyance, showing good title in the name of the parties making the conveyance.*

COLUMBUS, OHIO, November 23, 1928.

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

DEAR SIR:—Acknowledgment is made of your communication which reads as follows:

“For your examination and opinion upon its sufficiency to pass title to the grantee therein named, I am sending you an instrument executed by the City of Findlay, Ohio. A copy of the Ordinance authorizing the transaction is thereto attached.

A deed executed by Ralph W. Moore acting in a trust capacity is likewise submitted for an opinion by your Department. It has been agreed that the purchase price of this property shall be its appraised value. Attached to such deed will be found the report of the appraisal committee.”

Ordinance No. 570, passed by the council of the City of Findlay, a copy of which you enclosed, in substance authorizes and directs the Director of Public Safety and the Mayor of the City of Findlay, Ohio, to execute a deed conveying to the State of Ohio for the purpose of constructing and maintaining a fish hatchery thereon, certain lands therein described, which need not be specifically described for the purposes of this opinion. There is also enclosed the deed executed by the Mayor and Director of Public Service-Safety of said city in pursuance to said resolution.