

1030.

APPROVAL, ABSTRACT OF TITLE TO LAND IN SALEM TOWNSHIP,
JEFFERSON COUNTY, OHIO.

COLUMBUS, OHIO, September 21, 1927.

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

DEAR SIR:—You have resubmitted for my opinion a warranty deed and an abstract of title last certified by R. G. Porter of Steubenville, Ohio, under date of September 9, 1927, covering land situate in Salem Township, Jefferson County, Ohio, said land consisting of two tracts, one containing 86½ acres, more or less, and the other containing one-half acre, more or less, bounded and described as follows:

Beginning at the N. E. corner of the west half of the N. W. quarter section of Section No. 18, Township No. 10, and Range No. 3, thence south 2700 feet to south line of N. W. quarter section, thence E. 700 ft. to the Town Fork of Yellow Creek; thence N. 23° and 30' east, 44 5/10 ft. N. 28° east 43 ft. N. 67° east 115 5/10 ft. N. 10° 15' east 82 5/10 ft. N. 47° east 33 ft. N. 72° east 312 ft. N. 48° east 142 ft. N. 47° 45' E. 89 ft. N. 60° east 57 ft. N. 65° 30' east 77 5/10 ft. N. 78° east 183 ft. S. 69° E. 33 ft. N. 46° 30' east 49 5/10 ft. N. 73° 15' east 109 5/10 ft. N. 4° 30' west 476 ft. to the Richmond and Pravo Pike Road; thence N. 72° west with the road 140 ft. N. 89° W. 115 5/10 ft. with road, N. 61° W. 118 ft. with road, N. 42° W. 280 ft. with road, N. 13° W. 206 ft. with road, N. 10° east 125 ft. with road, N. 37° W. 248 ft. with road, N. 16° W. 248 ft. with road, N. 12° W. 254 ft. with road, N. 35° east 146 ft. with road to the township line; thence west 1150 ft. along the township line to the N. E. corner of the west half of the N. W. section of Section No. 18, Township No. 10, and Range No. 3, to the place of beginning, containing eighty-six and one-half (86½) acres, more or less, together with all and singular the rights, members, hereditaments and appurtenances to the same belonging or in any wise incident or appertaining.

Also the following real estate, situate in the Township of Salem, Section 18, Township 10, Range 3, County of Jefferson and State of Ohio, and bounded and described as follows, viz.: Beginning for the same at a stone planted on the west line of the lands of John Wilson seventy-two rods from the northwest corner of said lands south, the said corner being also the northwest corner of Salem Township the said stone planted at the east side of the road so as not to be interfered with by travelers on said road as the line of said land lies in the road's center; thence from this stone twenty-eight rods following the center of the said road south to a stone planted to a white oak tree, thence north twenty-two rods on a straight line to the place of beginning, containing one-half acre more or less. Said tract bought by said Waggoner to obtain title and control of a certain spring on the above described tract of land, and being the same property conveyed by John T. Wilson, et al., to William P. Waggoner, Deed Record 68, page 512, of Jefferson County, Ohio.

Upon examination of the resubmitted abstract, I am of the opinion that the same shows a good and merchantable title to both of said tracts in William P. Waggoner, subject to the following encumbrances:

1. The right of way easement, executed by Waggoner to The Bergholz Telephone Company under date of October 30, 1922, and described in the paragraph

numbered 1, of Opinion No. 710, rendered to you under date of July 9, 1927, still subsists. It will be for your department to determine whether or not this burden will in any way interfere with the use of this land by the State of Ohio for the purpose intended.

2. The June instalment of the 1926 tax, amounting to \$24,41, is still unpaid and a lien.

3. The 1927 taxes, due and payable in December, 1927, and June, 1928, are also a lien.

4. An assessment for the construction of the Richmond-Pravo Road amounting to \$167.88, payable in twelve instalments of \$13.99 each, the next instalment being payable in 1927, is a lien.

The abstract does not yet show any examination in the United States Court, and the examination of the judgment indexes in the clerk's and sheriff's offices for judgment liens only goes back as far as 1910.

The description in the deed has been corrected and the deed re-executed by William P. Waggoner and Mary L. Waggoner, his wife, under date of August 25, 1927, and acknowledged before a notary public. The deed is in proper form and when delivered will pass good title to the State of Ohio.

The abstract of title and deed are herewith returned to you.

Respectfully,
EDWARD C. TURNER,
Attorney General.

1031.

APPROVAL, ABSTRACT OF TITLE TO LAND IN SALEM TOWNSHIP,
JEFFERSON COUNTY, OHIO.

COLUMBUS, OHIO, September 21, 1927.

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

DEAR SIR:—You have resubmitted for my opinion a form of deed and abstract of title last certified under date of September 9, 1927, by R. G. Porter of Steubenville, Ohio, covering land situate in Salem Township, Jefferson County, Ohio, consisting of one tract containing 22.3 acres, and bounded and described as follows:

“Being a part of Section 18, Township 10 and Range 3, beginning at a point in the north boundary of the southwest quarter of said Section 18, said point being corner to Ramsey and Umensetter tract; thence with Town Fork of Yellow Creek as follows: N. 23½° E. 44½ feet; N. 28° E. 43 feet; N. 67° E. 115½ feet; N. 10¼° E. 82½ feet; N. 47° E. 33 feet; N. 72° E. 312 feet; N. 48° E. 142 feet; N. 47¾° E. 89 feet; N. 60° E. 57 feet; N. 65½° E. 77½ feet; N. 78° E. 183 feet; S. 69° E. 33 feet; N. 46½° 49½ feet. N. 73¾° E. 70 feet; thence S. 18° W. 766 feet; thence N. 82° 30' W. 273 feet; thence S. 31° W. 959 feet, to Umensetters line; thence N. 919 feet to the beginning, containing 22.3 acres, more or less.

Being a part of the premises owned by William M. Ramsey and Carrie L. Ramsey, as set forth in the deed of J. S. Emensetter, Admr, of Samuel R.