

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.*