

Contract encumbrance record No. 1506, which has been submitted as a part of the files relating to the purchase of the above described property, has been properly executed and the same shows a sufficient balance in the appropriation account to pay the purchase price of this property, which purchase price is the sum of \$1500.00. I likewise find from a recital in this contract encumbrance record, as well as from the certificate of the Controlling Board, that the purchase of this property has been approved by said board and that the money necessary to pay the purchase price of this property has been released for said purpose.

I am, therefore, approving the abstract of title and the certificate of title submitted therewith, as well as the warranty deed, contract encumbrance record and other files relating to the purchase of this property and I am herewith returning to you all of the files above referred to for your use in the preparation of a voucher payable to the Granite Improvement Company covering the purchase price of this property.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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5045.

APPROVAL, ABSTRACT OF TITLE, ETC., TO LAND IN THE  
CITY OF BUCYRUS, CRAWFORD COUNTY, OHIO—  
NATIONAL CITY BANK OF CLEVELAND.

COLUMBUS, OHIO, December 27, 1935.

HON. JOHN JASTER, JR., *Director, Department of Highways, Columbus, Ohio.*

DEAR SIR:—Receipt of your letter of December 19, 1935, transmitting the abstract of part of Outlot No. 20 in the City of Bucyrus, Crawford County, Ohio, last supplemented and continued to 10:00 A. M. November 20, 1935, by John C. Carroll, together with accompanying files, and requesting examination and opinion thereon is acknowledged.

Each and all of the items of the file therewith transmitted and herewith returned are listed or referred to in your letter as follows:

“Encumbrance Record No. 1507 Amount \$2100.00  
Deposit receipt County Treasurer for 1935 taxes  
Letter statement of Crawford County Treasurer, 12/6/35  
Deed (National City Bank to State of Ohio)

Certificate Dep. Treasurer Crawford Co., 11/23/35  
Letter of J. C. Carroll, dated Nov. 23, 1935  
Consent and approval by Phoebe S. Carroll, dated 11/23/35  
Modification of Trust Agreement  
Original Abstract of Title, 22 page, dated July 26, 1911  
Continuation of Abstract of Title, 22 page, Nov. 20, 1935  
Blue Print Plat of boundaries”

The premises as to the status of the title of which you request my formal opinion is more particularly described as follows:

“Being the north part of Outlot Twenty (20) of the revised numbers of outlots in the City of Bucyrus, Crawford County, Ohio, and more particularly described as follows: beginning at an iron rod at the southwest corner of Irving Street and Willard Avenue; thence south 6 deg. 48' 00" west along the west line of Willard Avenue six hundred fourteen and ninety hundredths (614.90) feet to the northwest corner of Willard Avenue and Bland Avenue; thence north 86 deg. 15' west along the north line of Bland Avenue three hundred forty-four and eighty hundredths (344.80) feet to a tacked stake on east line of Outlot Twenty-one (21) and west line of said Outlot Twenty (20); thence north 0 deg. 50' 30" east along said line six hundred seven and forty hundredths (607.40) feet to a tacked stake on the south line of Irving Street; thence south 87 deg. 29' 00" east along said south line three hundred forty-four and sixty hundredths (344.60) feet to the place of beginning, containing four and eight hundred thirty-six thousandths (4.836) of an acre, as surveyed by I. W. Baker, Asst. Engr., State Highway Department, April, 1935.”

A careful examination has been made and it is believed that the said abstract discloses a good and sufficient title to said premises in the name of The National City Bank of Cleveland, Trustee, under the trust agreement dated April 23, 1925, of Phoebe Strawbridge Carroll, et al., and the trust agreement supplemental thereto of date November 20, 1935, save and except that for the purposes of effecting transfer of title upon the records of the County Recorder of Crawford County, Ohio, the journal entry of date March 7, 1934, in case No. 18288 on the dockets and journals of the Court of Common Pleas of said county should be submitted to the County Auditor to procure the necessary transfer for taxation and suitable endorsement of transfer upon the deed before the deed is presented for record in the office of the County Recorder of said Crawford County.

All taxes for the entire tax year of 1935 are now paid or amply secured

to be paid to the full extent that the amount thereof is now ascertainable as shown by the statement or certificate of Matthew W. Quay, County Treasurer of Crawford County.

The abstract does not recite that examination has been made of the dockets and journals of federal courts.

Due authority for purchase of the captioned lands showing appropriation or availability of unencumbered funds as certified under date of December 14, 1935, is evidenced by the signature of M. Ray Allison, Director of Finance, appearing upon the Contract Encumbrance Record No. 1507 which accompanies the abstract.

After effecting the required transfer of the title of the caption lands to the name of the trustee grantor of the accompanying deed submitted for examination, which deed is found to be correct and sufficient in form and properly executed, formal delivery of the said deed may be duly made and accepted and a warrant in the amount of the recited consideration in the sum of two thousand one hundred dollars (\$2,100.00) delivered to the said The National City Bank of Cleveland, Trustee, etc.

Certificate of continuation of the abstract to the time and date of delivery of the warrant and formal delivery of the deed is suggested as a proper formality of consummating this purchase or acquisition by the state.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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5046.

APPROVAL, BONDS OF CITY OF ROCKY RIVER, CUYAHOGA  
COUNTY, OHIO, \$22,000.00.

COLUMBUS, OHIO, December 27, 1935.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*