

3787.

APPROVAL, CERTIFICATE OF TITLE TO LAND OF FRANK A. BENUA IN BENTON TOWNSHIP, PIKE COUNTY, OHIO.

COLUMBUS, OHIO, November 25, 1931.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—There has been submitted for my examination and approval a certificate of title, warranty deed, Encumbrance Record No. 1788 and Controlling Board certificate relating to the proposed purchase of two certain tracts of land owned of record by Frank A. Benua in Benton Township, Pike County, Ohio, which tracts of land are more particularly described as follows:

“Beginning at a poplar, N. E. corner to Jacob Waugh’s land; thence N. 58° E 10 poles to a double dogwood, corner to A. Cartwright’s land; thence N. 1° 25′ W. 16 poles to a stone in the Cartwright’s line; thence N. 55° W. 54 poles to a mulberry; thence W. 8 poles to a birch; thence S. 1° W. 61 poles to a birch in the line of Jacob Waugh’s land; thence with said line S. 66° E. 46 poles to the beginning, containing 20 acres, more or less, and being part of Survey 15593.

Also: Beginning at an elm in the line of Mosby’s survey No. 14560, and N. W. corner to a tract of land formerly owned by E. A. Rogers; thence with said line, N. 88½° W. 84 poles to a stone, S. E. corner to a 10-acre tract sold to Thomas Mitchell; thence S. 45° E. 30 poles to a small ash and poplar; thence S. 29½° E. 58.08 poles to a stone in Henry Mitchell’s line; thence S. 88½° E. 38 poles to a stone, N. E. corner to Henry Mitchell’s land; thence N. 1° E. 64 poles to the beginning, containing 21 acres, more or less, and being part of E. P. Hendreick’s survey No. 16161 and 16164.”

Upon examination of the files of same, I find that said Frank A. Benua has a good and merchantable fee simple title to the above described tracts of land, free and clear of all encumbrances except taxes on this property for the year 1930, and the undetermined taxes thereon for the year 1931.

From an examination of the warranty deed tendered by Frank A. Benua, I find the same has been properly executed and acknowledged by him and by his wife, Helen E. Benua, and the form of said deed is such that it is sufficient to convey this property to the State of Ohio in fee simple title, free and clear of all encumbrances, “except taxes and assessments due after the December, 1929, payment”.

Upon examination of Encumbrance Record No. 1788, I find that the same has been properly executed and that there is shown thereby a sufficient balance in the proper appropriation account to pay the purchase price of said property, which purchase price is the sum of Two Hundred Twenty-five Dollars and Fifty Cents (\$225.50).

I likewise find that the purchase of this property has been duly approved

by the Board of Control and the necessary money has been released for this purpose.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3788.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND HARSH, DAVIES AND RUBRECHT, INC., COLUMBUS, OHIO, FOR ARCHITECTURAL SERVICES FOR NEW NURSERY BUILDING, OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME, XENIA, OHIO, AT AN EXPENDITURE OF \$5,500.00.

COLUMBUS, OHIO, November 25, 1931.

HON. ALBERT T. CONNAR, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, and Harsh, Davies and Rubrecht, Incorporated, Columbus, Ohio. This contract covers architectural services in connection with new nursery building, Ohio Soldiers' and Sailors' Orphans' Home, Xenia, Ohio, and calls for an expenditure estimated at five thousand five hundred dollars (\$5,500.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated in a sum sufficient to cover the obligations of the contract. You have also submitted a certificate from the Emergency Board to the effect that said board has properly consented to and approved the expenditure of moneys to cover this contract in accordance with Section 8 of House Bill No. 624 of the 89th General Assembly.

You have further submitted a certificate of authorization from the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home to enter into this contract.

Finding said contract in proper legal form, I have this day noted my approval thereon, and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

3789:

HIGH SCHOOL TRANSPORTATION — DISCRETIONARY WITH COUNTY BOARD OF EDUCATION WHETHER TO FURNISH SUCH.

SYLLABUS:

When a school in a rural or village school district is suspended by authority of Section 7730, General Code, and the pupils who reside within the territory of the suspended school have been assigned to another school or other schools, transportation for any of such pupils who attend high school need not be fur-