

of Norwalk, under date of October 21, 1929, and I am of the opinion that same shows a good merchantable title to said premises in Gustav H. Moehlman and Cecil M. Moehlman his wife, free and clear from all encumbrances excepting taxes due December 20, 1929, and June 30, 1930, which grantor assumes and agrees to pay.

An examination of the deed form of the deed to be executed by said Gustav H. Moehlman and Cecil M. Moehlman, his wife, shows that the same is in form sufficient to convey to the State of Ohio a fee simple title to the above described property. This deed has not yet been signed or otherwise executed, and care should be taken to see that said deed is properly acknowledged and executed, after which it should be re-submitted to this department for approval.

The encumbrance estimate and Controlling Board's certificate are in regular form and executed by the proper officials.

I am returning herewith said abstract of title, warranty deed form, encumbrance estimate and Controlling Board's certificate.

Respectfully,
GILBERT BETTMAN,
Attorney General.

1311.

APPROVAL, ABSTRACT OF TITLE TO LAND OF CHARLES H. MAY IN
CITY OF PIQUA, MIAMI COUNTY, OHIO.

COLUMBUS, OHIO, December 19, 1929.

HON. A. W. REYNOLDS, *Adjutant General, Columbus, Ohio.*

DEAR SIR:—You have resubmitted for my examination an abstract of title covering In-lots 5009 to 5015, inclusive, and In-lots 5034 to 5055, inclusive, located in Charles H. May's addition to the city of Piqua, in Washington Township, Miami County, Ohio. You further advise that said land is to be donated to the State of Ohio by the city of Piqua as an Armory site.

Since receiving my Opinion No. 1210, dated November 20, 1929, you have caused the abstract to be extended under date of November 21, 1929, by the Abstractors, H. E. Green and Son, and they now certify under said date that "Chas. H. Hay" is the owner of the lands in question, but this is presumably a typographical error, as the chain of title shows it to rest in Chas. H. May. This error, appearing on page 91 of the abstract, should be corrected.

I am of the opinion that the abstract of title, corrected as above outlined, will show that Chas. H. May, the owner of record of said premises, has a good and merchantable fee simple title to the same, free and clear of all encumbrances except taxes for the year 1929 and any special assessments which may be due.

You did not resubmit the deed for my examination, and this should be done after it has been properly executed.

I am returning herewith the abstract of title.

Respectfully,
GILBERT BETTMAN,
Attorney General.