

1251.

APPROVAL, ABSTRACT OF TITLE TO LAND OF EDAR C. MILAR,
IN TUSCARAWAS COUNTY, OHIO.

COLUMBUS, OHIO, December 3, 1929.

HON. ROBERT N. WAID, *Director of Highways, Columbus, Ohio.*

DEAR SIR:—There has been submitted for my examination and approval a continuation of an abstract of title, warranty deed form, controlling board certificate and encumbrance estimate relating to the proposed purchase by the State of Ohio of a tract of one and three hundredths (1.03) acres of land from Edar C. Milar, a widow, which property is more particularly described as follows:

“Being part of a tract of land containing originally 7.68 acres in the first and second Quarters of Township 8 and Range 2 and being more fully described as follows: Beginning at a point on the north line of said 7.68 ac. tract in the center of Inter-County Highway No. 408 said point being the northwest corner of a 2.884 ac. tract heretofore conveyed by the Grantor herein, to the State of Ohio, Division of Highways by deed which is recorded in Volume 204, Page 1 of the Tuscarawas County Record of Deeds; thence along the center of said Highway, N. 87°—30' W. 56.9 ft.; thence S. 11°—14' W. 790.2 ft. to a point on the south line of said 7.68 ac. tract; thence along said south line, S. 63°—30' E. 58.1 ft. to a point at the southwest corner of said 2.884 ac. tract; thence along the west line of said tract, N. 11°—14' E. 814.1 ft. to the place of beginning containing 1.03 ac.”

An examination of the continuation of abstract of title submitted, which is certified to by the abstracter under date of October 16, 1929, shows that Edar C. Milar, the owner of record of the above described property, had on said date a good merchantable fee simple title to the same, free and clear of all encumbrances except taxes for the year 1929, which are unpaid and a lien upon the premises. An adjustment with respect to these taxes should, of course, be made before the transaction relating to the purchase of this property is closed.

An examination of the deed form of the deed to be executed by said Edar C. Milar, a widow, shows that the same is in form sufficient to convey to the State of Ohio a fee simple title to the above described property, free and clear of all encumbrances except taxes referred to, and assessments due, if any. As above indicated, this deed has not yet been signed or otherwise executed by the said Edar C. Milar and care should be taken to see that said deed is signed and properly acknowledged before the purchase price is paid.

The controlling board certificate and encumbrance estimate No. 6289 are in regular form and executed by the proper officials.

I am herewith returning to you said abstract of title, warranty deed form, encumbrance estimate and controlling board certificate.

Respectfully,
GILBERT BETTMAN,
Attorney General.