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DISAPPROVAL, ABSTRACT OF TITLE TO GUILFORD LAKE PARK LAND,  
HANOVER TOWNSHIP, COLUMBIANA COUNTY.

COLUMBUS, OHIO, June 3, 1927.

HON. GEORGE F. SCHLESINGER, *Director of Highways and Public Works, Columbus, O.*

DEAR SIR:—You have resubmitted for my opinion encumbrance estimate No. 3977, blank form of Ohio warranty deed, and the abstract, prepared by McMillan & Kelso under date of May 14, 1926, recertified under date of November 3, 1926, with certain other notations under date of May 25, 1927, but uncertified, covering the land known as Tract No. 2, Guilford Lake Park, situate in the township of Hanover, county of Columbiana and state of Ohio, and being in the north half section of section 11, and in the southeast quarter of section 2 of said township, county and state, more particularly described as follows:

Beginning at a post on the line between said sections No. 2 and 11 and at the southeast corner of lands now owned by Robert Patterson, Jr., and thence N. 0° 04' along the easterly line of said Robert Patterson, Jr., land 771.50 feet to the southwest corner of lands of Margaret Camp; thence N. 89° 58' E. along the southerly line of said Margaret Camp's land 1733.82 feet to the northwest corner of lands of G. W. Hostetter; thence south along the west line of said G. W. Hostetter's land 772.40 feet to a stone on the line between said sections Nos. 2 and 11; thence S. 3° 29' W. along the west line of said G. W. Hostetter's land 1110.38 feet to a stake; thence N. 25° 02' W. 190.30 feet to a stake; thence N. 3° 07' W. 315.90 feet to a stake; thence N. 16° 0' W. 206.25 feet to a stake; thence 33° 02' W. 470.30 feet to a stone; thence N. 51° 05' W. 272.40 feet to a stake; thence N. 79° 28' W. 328.70 feet to a stake; thence S. 63° 54' W. 596.70 feet to a stake; thence S. 58° 49' W. 384.15 feet to a stake; thence S. 39° 20' W. 631.20 feet to a stake; thence S. 30° 06' W. 355.70 feet to a stake; thence S. 17° 58' W. 328.00 feet to a stake in the road and at the southwest corner of said grantors' land; thence N. 0° 11' E. along the westerly line of said grantors land 1354.30 feet to a post in said line between sections Nos. 2 and 11; thence N. 89° 58' E. along said section line 783.40 feet to the place of beginning and containing 44.54 acres of land be the same more or less.

This tract is a part of two parcels of land owned by James L. Hanna, situate in said township, county and state, described in my former opinion under date of April 20, 1927, and covered by the abstract above noted.

The encumbrance estimate submitted bears No. 3977, is dated December 22, 1926, bears the certification of the director of finance under date of December 23, 1926, and appears to be in regular form.

The blank form of deed submitted with the abstract and encumbrance estimate contains a description of the premises proposed to be conveyed and corresponds with the description attached to the encumbrance estimate. Since the deed is not further prepared or executed, this department cannot pass upon the same.

Upon re-examination of the submitted abstract, I am of the opinion that the same shows a good and merchantable title to said 44.54 acres in James L. Hanna, subject to the following:

1. The same difficulties appearing in the abstract as formerly submitted down to the time John Barton acquired the property in 1860 still appear in the abstract.

2. The oil and gas lease given by James L. Hanna to Fred Worthington, January 4, 1910, is still uncancelled.
3. The June instalment of the 1926 tax is still unpaid and a lien.
4. The 1927 taxes, amount yet undetermined, are now a lien.
5. The abstracter's certificate shows no examination made in the United States Court and that the examination was made in the name of record owners only, and only for the period during which each one respectively held title.

I am returning herewith your file relating to Tract No. 2, including the abstract of title, encumbrance estimate and other papers.

Respectfully,

EDWARD C. TURNER,  
*Attorney General.*

571.

DISAPPROVAL, ABSTRACT OF TITLE TO GUILFORD LAKE PARK  
LAND, HANOVER TOWNSHIP, COLUMBIANA COUNTY.

COLUMBUS, OHIO, June 4, 1927.

HON. GEORGE F. SCHLESINGER, *Director, Department of Highways and Public Works,*  
*Columbus, Ohio.*

DEAR SIR:—You have resubmitted for my opinion, blank form of Ohio warranty deed and the abstract, prepared by McMillan & Kelso under date of May 11, 1926, recertified under date of May 25, 1927, covering the land known as Tract No. 10, Guilford Lake Park, consisting of 5.22 acres of land situate in the township of Hanover, county of Columbiana and state of Ohio and being in the northeast quarter of section 2 of said township, county and state, and more particularly described as follows:

Beginning in the center of the easterly and westerly road running through said Section No. 2, and at the southwest corner of said grantors' land; thence N. 77° 40' E. along the center line of said easterly and westerly road 412.30 feet to a stake; thence N. 8° 40' E. 319.60 feet to a stake; thence N. 59° 47' W. 437.40 feet to a stake; thence N. 3° 12' W. 188.15 feet to a stake; thence N. 36° 39' W. 109.60 feet to a stake in the westerly line of said grantors' land; thence S. 0° 10' E. along the westerly line of said grantors' land 899.60 feet to the place of beginning and containing 5.22 acres of land be the same more or less.

The tract is a part of a parcel containing 23 acres and 93 perches owned by Dawson Irely, situate in said township, county and state, described in my former opinion under date of April 20, 1927, and covered by the abstract above noted.

Upon re-examination of the submitted abstract, I am of the opinion that the same shows a good and merchantable title to said 5.22 acres in Dawson Irely, subject to the following:

1. The June instalment of the 1926 tax is still unpaid and a lien.
2. The 1927 taxes, amount yet undetermined, are now a lien.
3. The abstracter's certificate shows no examination made in the United States Court and that the examination was made in the name of record owners only, and only for the period during which each one respectively held said title.

No encumbrance estimate has yet been submitted covering this purchase, and I am therefore unable to pass upon the same.