

2003.

APPROVAL, WARRANTY DEED OF EDWARD H. JACOBS AND MARY ELIZABETH JACOBS, CONVEYING LAND IN THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO, TO THE STATE OF OHIO.

COLUMBUS, OHIO, June 20, 1930.

State Office Building Commission, Columbus, Ohio.

GENTLEMEN:—Under date of June 11, 1930, I directed to you Opinion No. 1964 of this office, in which, upon an examination of an abstract of title of the south half of in-lot No. 115 in the city of Columbus, Ohio, as the same is numbered and delineated upon the plat thereof recorded in Deed Book "F", Recorder's office, Franklin County, Ohio, I found that Edward H. Jacobs has a good and indefeasible fee simple title to said property, subject only to the inchoate dower interest of his wife, Mary Elizabeth Jacobs and to the mortgage and tax and assessment liens therein specifically mentioned.

You have now submitted for my examination and approval a warranty deed signed by said Edward H. Jacobs and by Mary Elizabeth Jacobs, his wife, conveying this property to the State of Ohio. Upon examination of said deed, I find that the same has been properly executed by the above named grantors, and that as to its form said deed is sufficient to convey to the State of Ohio a fee simple title to the above described property free and clear of the dower interest of said Mary Elizabeth Jacobs, and free and clear of all encumbrances whatsoever except taxes and assessments due and payable in December, 1929, and thereafter.

As a part of the files relating to the purchase of the property here in question, there has been submitted to me Encumbrance Estimate No. 626. This encumbrance estimate has been properly certified and executed, and the same shows that there are sufficient balances in the appropriation account to pay the purchase price of said property.

Said warranty deed and encumbrance estimate are, therefore, hereby approved.

In approving the form of the deed executed by said Edward H. Jacobs and Mary Elizabeth Jacobs, which, as above noted, carries the warranty that said property is free and clear of all encumbrances whatsoever except taxes and assessments due and payable in December, 1929, and thereafter, it is assumed that the mortgage executed by said grantors to the Guarantee Title and Trust Company under date of August 18, 1928, and which appears to have been sold and transferred to the Midland Mutual Life Insurance Company of Columbus, Ohio, will be paid and cancelled.

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

Respectfully,

GILBERT BETTMAN,
Attorney General.

2004.

APPROVAL, LEASE FOR RIGHT TO LAY ACROSS ABANDONED HOCKING CANAL, BERNE TOWNSHIP, FAIRFIELD COUNTY, OHIO, A DOUBLE GAS PIPE—OHIO FUEL GAS COMPANY, COLUMBUS, OHIO.

COLUMBUS, OHIO, June 20, 1930.

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

DEAR SIR:—There has been submitted to me for my examination and approval a

certain canal land lease in triplicate executed by your department by which there is leased and demised to the Ohio Fuel Gas Company of Columbus, Ohio, for a term of fifteen years, the right and permission to lay and maintain across the abandoned Hocking Canal in the northwest quarter of Section 21, Berne Township, Fairfield County, Ohio, a double gas pipe line with pipes not to exceed eighteen inches in diameter, at a point 1230 feet north of the south end of Lot No. 7, numbering southeast from Carroll, Ohio, and being at or near Station 683 plus 30 of W. C. Row's survey of said canal; and also the right and permission to lay and maintain across the abandoned Ohio Canal in the northwest quarter of Section 26, Liberty Township, Fairfield County, Ohio, a double gas pipe line with pipes not to exceed eighteen inches in diameter at a point 825 feet northeast of the north end of Lot No. 6 of Licking Summit on the Ohio Canal, which point is at or near Station 1151 plus 75 of W. C. Row's survey of said canal.

This lease, which calls for an annual rental of \$24.00, payable in semi-annual installments of \$12.00 each, is one apparently executed under the authority of Section 13970, General Code, and of House Bill No. 417, passed by the 88th General Assembly under date of April 5, 1929.

Upon examination of the provisions of said lease, I find that the execution of this lease is authorized by the statutory provisions above noted, and that the provisions thereof are not in conflict with such statutory provisions. In this connection, I note that by the provisions of this lease said pipe lines are to be laid and maintained in accordance with plans and specifications to be approved by the Superintendent of Public Works. This provision in the lease will enable you to protect any highway that may be constructed upon any part of the abandoned Ohio canal lands at the points above mentioned, or which may hereafter be constructed upon said lands as contemplated by the provisions of House Bill No. 417, above referred to.

I am, accordingly, approving the lease here in question as to legality and form, as is evidenced by my authorized signature upon said lease and upon the duplicate and triplicate copies thereof.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2005.

APPROVAL, LEASE TO LAND ADJACENT TO AND FRONTING UPON
LAKE ST. MARYS—MARY DARRAGH.

COLUMBUS, OHIO, June 20, 1930.

HON. PERRY L. GREEN, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge the receipt of your recent communication with which you submit for my examination and approval, among other reservoir land leases, a certain lease in triplicate, executed on behalf of the State of Ohio, by the Conservation Commission in your department, by which there is leased and demised to one Mary Darragh, for a term of fifteen years, and subject to the conditions and restrictions therein contained, a certain parcel of land adjacent to, and fronting upon Lake St. Marys, which parcel of land is more particularly described in said lease.

The lease here in question, which is one calling for an annual rental of \$18.00, which is 6% upon the sum of \$300.00, the appraised value of said parcel of land,