

2649.

APPROVAL, BONDS OF AMSTERDAM, JEFFERSON COUNTY, \$8,500.00.

COLUMBUS, OHIO, July 9, 1925.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

2650.

ABSTRACT, STATUS OF TITLE, PART OF LOT 147 OF THE NEW SURVEY OF VILLAGE OF WESTERVILLE AND PART OF LOT 14 IN WINTERS' FIRST ADDITION TO THE VILLAGE OF WESTERVILLE, OHIO.

COLUMBUS, OHIO, July 11, 1925.

HON. FRANK D. HENDERSON, *Adjutant General of Ohio, Columbus, Ohio.*

DEAR SIR:—Examination of a deed, abstract of title and encumbrance estimate submitted by you to this department for opinion discloses the following:

The abstract under consideration was prepared by A. A. Rich, abstractor, under date of June 20, 1917, with a continuation thereto under date of October 27, 1920, one under date of April 1, 1924, and a final continuation thereto under date of June 30, 1925, all by Jerry D. Dennis.

The abstract as submitted pertains to premises located in Westerville, Franklin county, Ohio, being a part of lot 147 of the new survey of said village of Westerville and also a part of lot 14 in Winters' first addition to the village of Westerville, said premises being more particularly described in the caption of the abstract to which this opinion is attached.

Upon examination of said abstract, I am of the opinion that same now shows a good and merchantable title to said premises in the state of Ohio, the deed to the state of Ohio having already been executed and filed and recorded in the office of the recorder of Franklin county, Ohio.

Attention is directed to the uncanceled mortgage shown in section 2 of the last continuation, to Charles W. Clark, in the sum of \$6,000.00, dated April 1, 1924. Said mortgage is given to secure a note of even date for \$6,000.00, payable on or before twelve years after date, with interest at seven per cent. Before the issuance of voucher for the payment of said premises, this mortgage should be paid and satisfied of record. The mortgage referred to is recorded in Franklin County Record of Mortgages, No. 655, at page 181.

Attention is also directed to the taxes for the year 1925, which are a lien but the amount of which is not yet determined.

Attention is also directed to the deed conveying the premises to the State of Ohio. As finally executed and recorded there appear in the execution clause certain recitals with reference to the grantors, which indicate that they might have been acting in the capacity of trustees. However, this situation has been corrected and satisfied by the affidavit of Otto B. Cornell, one of the grantors in the deed to the State of Ohio. The affidavit referred to is attached to and made a part of the abstract.