

717.

APPROVAL, FINAL RESOLUTIONS, ROAD IMPROVEMENTS IN COSH-OCTON, HARRISON, HAMILTON, WASHINGTON, WAYNE, SANDUSKY AND STARK COUNTIES.

COLUMBUS, OHIO, September 7, 1923.

*Department of Highways and Public Works, Division of Highways, Columbus, Ohio.*

718.

ABSTRACT, STATUS OF TITLE, LOT NO. 52, HAMILTON'S SECOND GARDEN ADDITION, COLUMBUS, OHIO.

COLUMBUS, OHIO, September 10, 1923.

HON. CHARLES V. TRUAX, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—An examination of an abstract of title submitted by your office to this department discloses the following:

The abstract under consideration was prepared by Adolph Haak & Co., Abstracters, August 10th, 1905, and a continuation thereto made by J. G. Westwater, Attorney, June 2, 1917, continuation by C. L. Corkwell, Attorney, June 23rd, 1917, and the last continuation thereto by Virgil L. Cameron, Attorney, September 4th, 1923, and pertains to the following premises:

Lot No. 52 of Hamilton's Second Garden Addition to the city of Columbus, Ohio, as the same is numbered and delineated on the recorded plat thereof, recorded in Plat Book 7, page 186, Recorder's Office, Franklin County, Ohio, saving and excepting therefrom six feet off the rear end thereof reserved for the purpose of an alley.

Upon examination of said abstract, I am of the opinion same shows a good and merchantable title to said premises in Edward P. Tice and Herman P. Jeffers, subject to the following exceptions:

The release of the mortgage shown at section 8 of the first part of the abstract is in defective form, but as the note secured by the mortgage has been long past due, no action could be maintained upon same. The release shown at section 14 is also defective but shows that the notes secured by the mortgage were undoubtedly paid.

Attention is directed to the restrictions in the conveyance shown at section 1 of the continuation of June 2nd, 1917, wherein are found restrictions for a period of twenty-five years against the use of the premises for the erection of any build-

ings to be used for slaughter houses and the killing of animals, or the use of said premises for the sale of intoxicating liquors or malt beverages.

The abstract states no examination has been made in the United States District or Circuit Courts, nor in any subdivision thereof.

Taxes for the year 1923, although as yet undetermined, are a lien against the premises. There is also a balance of \$113.94 due on account of the improvement of Clara Street, payable in four annual installments of \$28.48 each, with interest at 4½ per cent.

It is suggested that the proper execution of a general warranty deed by Edward P. Tice and Herman P. Jeffers, will be sufficient to convey the title to said premises to the State of Ohio when properly delivered.

Attention is also directed to the necessity of the proper certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated sufficient to cover the purchase price before the purchase can be consummated.

The abstract submitted is herewith returned.

Respectfully,  
C. C. CRABBE,  
*Attorney-General.*

719.

ABSTRACT, STATUS OF TITLE, NORTH HALF OF LOT 77 AND SOUTH HALF OF LOT 77, HAMILTON'S SECOND GARDEN ADDITION, COLUMBUS, OHIO.

COLUMBUS, OHIO, September 10, 1923.

HON. CHARLES V. TRUAX, *Director of Agriculture, Columbus, Ohio.*

DEAR SIR:—An examination of an abstract of title submitted by your office to this department discloses the following:

The abstract under consideration was prepared by J. E. McKenney, Attorney, June 21st, 1922, and a continuation made thereto by Ralph Merchant, Attorney, September 4th, 1923, and pertains to the following premises:

The north half of Lot No. 77 and the south half of Lot 77 of Hamilton's Second Garden Addition to the city of Columbus, Ohio, as the same is numbered and delineated on the recorded plat thereof, recorded in Plat Book 7, page 186, Recorder's Office, Franklin County, Ohio, saving and excepting therefrom six feet off the rear end thereof reserved for the purpose of an alley.

Upon examination of said abstract, I am of the opinion same shows a good and merchantable title to the north half of said Lot 77 in Miller Buttles and to the south half of said Lot 77 in J. Lawrence Porter, subject to the following exceptions: