

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.

No deed is submitted with the papers, although a blank form of an Ohio warranty deed containing a description of the premises proposed to be conveyed was transmitted. Since the deed is not further prepared or executed, this department cannot pass upon the same.

I am herewith returning the file relating to Tract No. 10, including the abstract of title and blank form of deed.

Respectfully,
EDWARD C. TURNER,
Attorney General.

572.

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 encumbrance estimate No. 3980, blank form of Ohio warranty deed and the abstract, prepared by McMillan & Kelso under date of April 24, 1926, recertified under date of December 24, 1926, and again recertified under date of May 25, 1927, covering the land known as Tract No. 9, Guilford Lake Park, situate in the township of Hanover, county of Columbiana and state of Ohio, and being in the northeast quarter of section No. 2 in said township, county and state, and more particularly described as:

Beginning on the north and south line between sections Nos. 1 and 2, at a post set 2641.98 feet north of the southeast corner of said section No. 2, which point is also the southeast corner of said grantors' land; thence S. 89° 42' W. along the south line of said grantors' land 561.00 feet to a post set at the southwest corner of said grantors' land; thence N. 0° 58' W. along the west line of said grantors' land 729.30 feet to a post at the northeast corner of land now owned by Garrett C. Camp; thence N. 0° 10' E. along the easterly line of lands now owned by Lucina A. Gardner 62.40 feet to a stake in the center of the easterly and westerly road running through said section No. 2, thence N. 77° 40' E. along the center line of said road 336.80 feet to a stake; thence S. 15° 23' E. 168.80 feet to a stake; thence S. 50° 13' E. 260.35 feet to a stone in the east line of said section No. 2, which line is also the east line of said grantors' land; thence south along said section line 530.10 feet to the place of beginning and containing 9.77 acres of land be the same more or less.

This tract is a part of a tract containing 12.16 acres, owned by Andries Kuyper, situate in said township, county and state, described in my former opinion under date of February 28, 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 9.77 acres in Andries Kuyper, subject to the same defects in title and encumbrances on the land as were outlined in my former opinion under date of February 28, 1927.

The abstract contains no additional information respecting the title, which in any wise calls for any change in my former opinion, with the exception that it notes the payment of the December instalment of the 1926 real estate tax, but that the June