

The conclusion of Opinion No. 2028 is to be regarded as modified in accordance with these views.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2192.

APPROVAL, ABSTRACT OF TITLE TO LAND OF HESTER A. MARTIN
AND WILLIAM P. MARTIN IN NILE TOWNSHIP, SCIOTO COUNTY,
OHIO.

COLUMBUS, OHIO, August 2, 1930.

HON. CARL E. STEEB, *Secretary, Ohio Agricultural Experiment Station, Ohio State University, Columbus, Ohio.*

DEAR SIR:—This is to acknowledge receipt of your recent communication submitting for my examination and approval abstract of title, warranty deed, encumbrance estimate No. 137 and controlling board certificate relating to the proposed purchase by the State of Ohio of a tract of land in Nile Township, Scioto County, Ohio, which is more particularly described as follows:

“Beginning at stone marked “C” with a black oak, chestnut oak and a hickory witness trees, southeast corner of Lot Number Thirteen (13) in the west line of Lot Number Twelve (12); thence west along the south line of Lot Number Thirteen (13) three hundred and twenty-four (324) poles crossing the south fork of Pond Run at two hundred and fifty-eight (258) poles to a stone marked “F” in line Survey No. 15881; thence with one line thereof south forty-nine and thirty-nine one hundredths (49.39) poles to a stake in said line; thence east three hundred and twenty-four (324) poles crossing South Fork to a stone in the line of Lot Number Fifteen (15); thence with west line of Lot Number Fifteen (15) and Twelve (12) forty-nine and thirty-nine one hundredths (49.39) poles to the beginning, containing one hundred (100) acres, more or less, and being part of O. S. U. Lot Number Fourteen (14).

Being the same property conveyed to grantors herein, by C. E. Robbins recorded in Deed Book No. 191, page 143, Scioto County, Ohio Records, April 29, 1930.”

Upon examination of said abstract of title, which is certified under date of June 28, 1930, I find that Hester A. Martin and William P. Martin, who are the owners of record of the above described property, have a good merchantable title to the same, subject only to the lien of the taxes on said property for the year 1930, the amount of which taxes are as yet undetermined.

The warranty deed which has been tendered by said Hester A. Martin and William P. Martin has been properly executed and acknowledged by them and that same as to form is sufficient to convey the above described property to the State of Ohio by a fee simple title free and clear of the respective dower interests of each of the above named grantors in the undivided interest in the property owned and held by the other, and free and clear of all encumbrances whatever.

Upon examination of encumbrance estimate No. 137, I find that three copies of the same have been properly executed and approved, and that there is shown thereby

sufficient balances in the proper appropriation account to pay the purchase price of the above described property, which purchase price is the sum of \$500.00. I note in this connection that by some inadvertence one of the copies of said encumbrance estimate has not been signed by the Director of Finance. This omission should be rectified before the transaction for the purchase of this property is closed.

I further find from an inspection of the controlling board certificate submitted as part of the file in this matter that the purchase money for this property in the amount above stated has been released for the purpose by said controlling board.

I am herewith returning with my approval said abstract of title, warranty deed, encumbrance estimate No. 137, controlling board certificate and other files relating to this purchase.

Inasmuch as some time has now elapsed since the date of the certification of said abstract of title by the abstracter, it is suggested that you have one of your field men investigate the title of said Hester A. Martin and Willian P. Martin with respect to any mortgages, judgments or other liens that may have been filed or become effective against this property since the date of said certification, and make a report of his finding to you before the purchase of this property is closed by the issuance of voucher and warrant to said Hester A. Martin and William P. Martin.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2193.

APPROVAL, DEED FORM OF A DEED, CONVEYING TO HENRY RABE OF CINCINNATI, OHIO, SURPLUS MIAMI AND ERIE CANAL LANDS.

COLUMBUS, OHIO, August 2, 1930.

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

DEAR SIR:—This is to acknowledge the receipt of your recent communication transmitting for my examination and approval, deed form of a deed to be executed by the Governor, conveying to one Henry Rabe of Cincinnati, Ohio, Lot No. 151 of surplus Miami and Erie Canal lands in said city, which said lot and tract of land is more particularly described in said deed.

Upon examination of said deed form I find said deed and recitals thereof to be in all respects in conformity to the Act of the 87th General Assembly (Passed April 20, 1927, 112 O. L. 210) providing for the sale by the State of Ohio of surplus parcels of Miami and Erie Canal Lands, conveyed to the State by said city of Cincinnati.

I am accordingly approving said deed form as is evidenced by my authorized signature on said deed.

Respectfully,

GILBERT BETTMAN,
Attorney General.

2194.

APPROVAL, BONDS OF LIVE-ORANGE RURAL SCHOOL DISTRICT, MEIGS COUNTY, OHIO—\$33,500.00.

COLUMBUS, OHIO, August 4, 1930.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.