

of twenty-five years against the use of the premises for the erection of any buildings 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.

The taxes for the last half of the year 1923, and penalty amounting to \$6.27, are unpaid and a lien. The taxes for the year 1924, amounting to \$10.15 are a lien, one-half of which, amounting to \$5.08, was due in December, 1924.

There also appears on the Treasurer's duplicate an unpaid balance of assessments in the sum of \$85.33 for the improvement of Clara Street, the next installment of which, amounting to \$28.44, and interest, amounting to \$3.84, was due and payable in December, 1924.

It is suggested that the proper execution of a general warranty deed by Frieda May, and husband, if married, will be sufficient to convey the title of 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

2128.

ABSTRACT, STATUS OF TITLE, LOTS NOS. 130 AND 131 OF HAMILTON'S
SECOND GARDEN ADDITION, COLUMBUS, OHIO.

COLUMBUS, OHIO, January 7, 1925.

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 10, 1905, and a continuation thereto by E. M. Baldrige December 29, 1924, and pertains to the following premises:

Lots Nos. 130 and 131 of Hamilton's Second Garden Addition to the city of Columbus, Ohio, as the same is numbered and delineated on the recorded plat thereof, of record in Plat Book 7, page 186, Recorder's Office, Franklin County, Ohio, excepting therefrom twelve feet off the rear end thereof reserved for an alley, and also excepting therefrom fourteen feet off the south side of said lot No. 131 reserved for use as an alley.

Upon examination of said abstract, I am of the opinion same shows a good and merchantable title to said premises in Emma J. Wilson, 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 since 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 shown in the conveyance at section

2 of the last continuation wherein are found restrictions for a period of twenty-five years against the use of the premises for the erection of any buildings 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.

Attention is directed to a judgment in the sum of \$379.44, together with interest and costs, as shown at section 9 of the last continuation of the abstract. The judgment shown is against Emma J. Wilson, and others, and since the date of same, March 11, 1924, such judgment has been a lien on the premises under consideration. This judgment should be satisfied of record before the final consummation of the purchase of this property.

The taxes for the year 1924 are a lien, one-half of which amounting to \$14.72 was due and payable in December, 1924.

It is suggested that the proper execution of a general warranty deed by Emma J. Wilson, and husband, if married, will be sufficient to convey the title of 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 finally consummated.

The abstract submitted is herewith returned.

Respectfully,

C. C. CRABBE,
Attorney-General.

2129.

ABSTRACT, STATUS OF TITLE, COVERING FIVE HUNDRED AND FORTY (540) ACRES OF LAND, SITUATE IN BENTON TOWNSHIP, PIKE COUNTY, OHIO.

COLUMBUS, OHIO, January 7, 1925.

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

DEAR SIR:—Examination of an incumbrance estimate, deed and abstract of title covering five hundred and forty (540) acres of land, situate in Benton Township, Pike County, Ohio, submitted by you to this department for our examination, discloses the following:

The incumbrance estimate as submitted bears Number 5643, dated December 22, 1924, is issued by the Department of Ohio Agricultural Experiment Station, is addressed to M. J. Eggleston, the owner of the premises under consideration, is properly certified by Wilbur E. Baker, Director of Finance, under date of December 30, 1924, further signed by W. H. Kramer, Bursar of the Ohio Agricultural Experiment Station, and is otherwise in proper form.

The deed as submitted appears to be in proper form but has not as yet been executed. In connection with the deed, attention is directed to the incumbrance clause which excepts from the warranty the taxes due and payable in December, 1924, and June, 1925.

The abstract as originally submitted did not contain the proper caption. The corrected caption was afterward submitted directly to this department by J. W. Long, the abstractor, under date of December 30, 1924. The letter accompanying the corrected caption and the corrected caption have both been attached to the abstract.