

2820.

APPROVAL, ABSTRACTS OF TITLE TO LAND IN WASHINGTON TOWNSHIP,
SCIOTO COUNTY, OHIO—EDWARD CUNNINGHAM.

COLUMBUS, OHIO, January 13, 1931.

HON. CARL E. STEEB, *Secretary of the Ohio Agricultural Experiment Station, Columbus, Ohio.*

DEAR SIR:—There have been submitted for my examination and approval, abstracts of title, a warranty deed, encumbrance estimate No. 798 and controlling board certificate, relating to the proposed purchase by the state of Ohio for the use of your department two certain tracts of land in Washington Township, Scioto County, Ohio, which are owned of record by one Edward Cunningham.

The tracts of land above referred to are more particularly described as follows:

FIRST TRACT: Beginning at a stone, most westerly corner of survey number 13498, a corner to John Wright's land and also a corner to a tract of land which was heretofore deeded to Elmer Swords in September, 1928; thence up the hill with Elmer Sword's line S. 50 deg. W. 114/10 rods to a small black oak; thence N. 85 deg. 15' W. 30 rods to two black oaks from one root on a stony point; thence West 10 4/10 rods to a post on top of the hill at John Shepherd's northeast corner; thence on the line of John Shepherd's land N. 78 deg. 40' W. 42 27/100 rods; No. 60 deg. 30' W. 32 6/10 rods; N. 56 deg. 30' W. 6 18/100 rods; N. 51 deg. 31' W. 8 84/100 rods; thence S. 82 deg. 45' W. 22 2/10 rods; West 10 72/100 rods; N. 46 deg. 2' W. 21 rods to a double chestnut oak; thence N. 51 deg. 30' W. 29 1/2 rods to the Heaton line (northwest line of Survey Number 15578); thence with said line N. 35 deg. 20' E. 25 rods, more or less, to a 12 inch black oak corner tree in the west line of survey number 15578, from which an 18 inch black oak is S. 57 deg. E. 30 1/2 links; and a ten inch chestnut oak is N. 89 1/2 deg. W. 20 links; thence S. 74 deg. 25' E. 53 rods to two black oaks from one root; thence N. 80 1/2 deg. E. 15 rods to a 12 inch pine corner tree on a flat on top of a ridge; thence S. 89 deg. 42' E. 52 rods 20 links to a stake and a stone; thence N. 82 deg. 55' E. 53 rods, more or less, to two black oaks from one root, corner to a tract of land containing 12 acres, more or less, which was heretofore deeded to Roy Wright; thence with Roy Wright's line S. 33 deg. E. 38 rods to one large and two small chestnut oaks, from the same root, corner to Roy Wright's land and also a corner to a tract of land containing eight acres more or less, which was heretofore deeded to John Wright; thence with John Wright's line down a very steep hill S. 6 deg. 30' E. (by calculation) 42 rods to a point on a line of survey number 13498, near a beech tree on the north side of 'Curly Mershon' hollow; thence S. 55 deg. W. 16 rods, crossing the hollow to the beginning, containing eighty eight (88) acres, more or less, there being approximately three and five tenths (3.5) acres in survey number 15259 and eighty four and five tenths (84.5) acres in survey number 15578. Being the same premises conveyed to Edward Cunningham by Edward Hall and Rutha Hall, by deed dated March 15, 1929 and recorded in Vol. 185, Page 335, Scioto County Record of Deeds.

SECOND TRACT: Being Lot No. One set off to James Skelton, at the October term of the Court of Common Pleas of Scioto County, Ohio, in partition proceedings then pending in the said court in which James Skelton was petitioner and C. F. Bradford, et al were defendants, being part of the premises before that time held by said James Skelton and C. F. Bradford

as tenants in common. Said Lot No. One is bounded and described as follows, to-wit; Beginning at a stone where once stood a white oak, poplar and sourwood, S. W. corner to Survey No. 13485; thence with several lines and corners thereof N. $21\frac{1}{4}$ deg. W. 14 poles to a large black oak, on the point of a hill; thence N. 35 deg. 15 poles, crossing a drain at four poles to a stone on a steep hill; thence N. 73 deg. E. 49 poles to a sixteen inch red oak under the bluff, and on the line of said Survey No. 13485; thence up the hill N. $24\frac{1}{2}$ W. 39 poles to a white oak and hickory on the top of a ridge; thence with the top of the ridge N. 86 deg. W. $5\frac{1}{2}$ poles to a 24 inch white oak; thence N. $54\frac{1}{2}$ deg. W. 16 $\frac{36}{100}$ poles to a 24 inch forked white oak; thence N. $50\frac{1}{4}$ deg. W. $12\frac{3}{4}$ poles to a 16 inch chestnut oak; thence S. $60\frac{3}{4}$ deg. W. $12\frac{1}{4}$ poles to a 12 inch hickory; thence S. 46 deg. W. 13 $\frac{8}{10}$ poles to a 12 inch scrubby chestnut oak; thence S. $52\frac{1}{4}$ deg. W. 11 $\frac{8}{10}$ poles to a 16 inch hickory; thence S. $55\frac{1}{4}$ deg. W. $12\frac{1}{4}$ poles to a 10 inch chestnut oak; thence S. $62\frac{3}{4}$ deg. W. 12 $\frac{4}{10}$ poles to a six inch pine; thence S. $52\frac{1}{2}$ deg. W. 18 $\frac{8}{10}$ poles to a 12 inch pine with three small pines as witness on flat of the ridge; thence S. $75\frac{3}{4}$ deg. W. $5\frac{3}{4}$ poles to an 8 inch pine on the ridge; thence S. 82 deg. W. 7 $\frac{2}{10}$ poles to a five inch pine; thence S. 68 deg. W. 8 $\frac{8}{10}$ poles to a 4 inch pine on the ridge; thence S. $70\frac{1}{2}$ W. $7\frac{3}{4}$ poles to a twelve inch chestnut oak on the ridge; thence S. $67\frac{1}{2}$ deg. W. 13 $\frac{7}{10}$ poles to a large leaning forked white oak on the ridge; thence N. 80 deg. W. 14 $\frac{2}{3}$ poles to a stone with three small pines and black oak on the hill where a white oak (3) three black oaks and hickory, all bushes, are called for, in the original notes of said tract of land, the white oak still standing; thence with the original notes, S. 25 deg. W. 80 poles to a seven inch pine on the west side of the ridge; thence S. 52 deg. W. down the hill 28 poles to P. N. White's N. W. corner, a pile of stones a black oak bear N. 17 E. 14 links, black oak S. 50 deg. W. 10 links; thence down the hill, with P. N. White's line S. $37\frac{1}{2}$ W. 57 poles to a stake in the road and run, in said line N. $37\frac{1}{2}$ E. 10 poles to a white oak, corner to P. N. White; thence S. 56 deg. E. 6 poles to a stake corner to the possessions of Horace Craine; thence with three of his lines N. 32 E. 18 poles to a pine on the face of the hill; thence N. $40\frac{1}{2}$ deg. E. 58 poles to two small chestnut oaks, and a pine; thence N. 65 deg. E. 25 poles to a black oak and four chestnuts, corner to Fred Bakers; thence with his line S. 68 E. 40 poles to a black oak and three chestnuts; thence S. 15 E. 10 poles to a pine; thence 53 deg. E. $7\frac{1}{2}$ poles to a chestnut; thence N. 75 deg. E. 18 poles to two pines and a white oak; thence S. 59 deg. E. 52 poles to a black oak, pine and hickory; thence S. 6 deg. E. 28 poles to a small black oak and pine; thence S. 31 deg. E. $12\frac{3}{4}$ poles to a stake and dead locust two inches through on a line of Allen Parker's Survey No. 508; thence with said line N. 46 deg. E. 196 poles to a large white oak in line of Conrad Overturf's Survey No. 13485 aforesaid; thence with his line correcting the courses N. 28 deg. W. 38 poles to a stump; thence S. 58 deg. W. 28 poles to a stake; thence N. 88 deg. W. 36 poles to a poplar stump, tree recently cut, (1867); thence S. 72 deg. W. 45 poles crossing a branch to the beginning, containing one hundred sixty seven and one fourth acres, more or less, and being in Survey No. 13843, in the Virginia Military District; excepting and reserving therefrom however, a strip thereof about six rods wide extending from the top of the hill East of Carey's Run, west to said Carey's Run and the road running up the same which strip of land contains about seven acres, and consists of all that part of said premises which lies between the top of said hill and the road leading up said Carey's Run, being the same premises conveyed to grantor herein by Claud E. Jeffords and wife February 4, 1929, by deed recorded in Vol. 184, Page 98, Scioto County Record of Deeds."

Upon examination of the abstracts of title covering the above tracts of land, which abstracts have been corrected from time to time at my request, I find that said Edward Cunningham has a good merchantable fee simple title to the above described tracts of land, free and clear of all incumbrances except the taxes for the year 1930, which taxes amount to the sum of eleven dollars and twenty-five cents on the first tract above described and thirteen dollars and fifty cents on the second tract above described. Some adjustment should, of course, be made with respect to these taxes before the transaction relating to the purchase of this property is closed. Inasmuch, however, as the agreement for the purchase of this property, subject to the approval of the division of finance and the attorney general, was made prior to the time the taxes for the year 1930 became a lien upon the property, there should be no difficulty in getting this property on the tax exempt list, with respect to 1930 taxes.

Upon examination of the warranty deed tendered by Edward Cunningham, I find that the same has been properly executed and acknowledged by him and by his wife, Carol Cunningham, and that the form of said deed is such that it conveys the above described property to the state of Ohio, free and clear of the dower interest of said Carol Cunningham, wife of Edward Cunningham, and free and clear of all incumbrances whatsoever.

Upon examination of encumbrance estimate No. 798, I find that the same has been properly executed and approved and that the same shows that there is a sufficient balance in the appropriation account to pay the purchase price of said property, which purchase price is the sum of two thousand one hundred forty-six dollars and twenty-eight cents.

It is likewise noted from the certificate of the controlling board and made a part of the files relating to the purchase of this property that the money necessary to pay the purchase price above mentioned has been released by said board of control.

I am herewith returning to you with my approval, said corrected abstracts of title, warranty deed, encumbrance estimate No. 798, controlling board certificate and other files relating to the purchase of this property.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2821.

INDIGENT PERSON—PARENT OR SOLDIER MAY BE GIVEN AID ACCORDING TO STATUTE—RESIDENCE AT HOME OF SOLDIER SON NOT REQUIRED.

SYLLABUS:

An indigent parent of a soldier may be given aid as provided in Section 2934, General Code, even though such person does not reside at the home of the soldier.

COLUMBUS, OHIO, January 14, 1931.

HON. F. H. BUCKINGHAM, *Prosecuting Attorney, Fremont, Ohio.*

DEAR SIR:—I am in receipt of your letter of recent date, which is as follows:

“Under Section 2934 of the General Code of Ohio there is listed persons entitled to relief under the Soldiers’ Relief Committee of the Township and