

2128.

APPROVAL, ABSTRACT OF TITLE, WARRANTY DEED AND ENCUMBRANCE ESTIMATE RELATING TO PROPOSED PURCHASE BY STATE OF OHIO OF LAND, OWNED BY VOLUNTEERS OF AMERICA, IN CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

COLUMBUS, OHIO, July 22, 1930.

State Office Building Commission, Columbus, Ohio.

GENTLEMEN:—There have been submitted for my examination and approval abstracts of title, warranty deed and Encumbrance Estimate No. 624, relating to the proposed purchase by the State of Ohio, of two certain contiguous tracts of land in the city of Columbus, Ohio, which are owned of record by the Volunteers of America, a corporation organized under the laws of the State of New York, and which are more particularly described as follows:

Parcel No. 1.

Being a part of inlot number one hundred and twelve (112) in said city, as the same is numbered and delineated upon the recorded plat thereof of record in deed book "F", page 332, Recorder's Office, Franklin County, Ohio, which part of said inlot is more particularly described as follows, to wit:

Beginning at a point at the northwest corner of said inlot number one hundred and twelve (112); thence in a southerly direction along the west line of said lot a distance of 31.15 feet to a point; thence in an easterly direction and parallel to the north line of said lot, 45.40 feet to a point; thence in a northerly direction and parallel to the east line of said lot 12.30 feet to a point; thence in an easterly direction and parallel to the north line of said lot 16.70 feet to a point; thence in a northerly direction and parallel to the east line of said lot 17.40 feet to the north line of said lot; thence in a westerly direction along the said north line 52.63 feet to the place of beginning.

Parcel No. 2.

Being inlot number one hundred and thirteen (113) in said city of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat of said city, in Deed Book "F", page 332, Recorder's Office, Franklin County, Ohio.

Upon examination of the abstracts of title to said several parcels of land, supplemented by information therein contained with respect to proceedings taken since Opinions Nos. 1952 and 1953 with respect to the title to said parcels of land were directed to you under date of June 6, 1930, I find that the Volunteers of America has a good and indefeasible fee simple title to both of the above described parcels of land free and clear of all encumbrances, save and except the following noted as to the first parcel above described:

1. The taxes for the year 1930, the amount of which are as yet undetermined, are unpaid and are a lien upon said property.

2. There is a balance of \$365.62, with interest at the rate of 5½% remaining unpaid upon the assessment for the improvement of Front Street. The fifth, sixth and seventh installments of said assessment amounting in the aggregate to \$274.23 principal, \$87.97 interest and \$29.43 penalty, were due and payable in June, 1930.

There is a balance of \$58.82 still unpaid on the assessment for the installation

of a watermain covering said property which amount, together with \$10.29 interest and \$6.03 penalty, was due and payable in June, 1930.

There is an assessment in the sum of \$325.48 on this property for the installation of a lighting system on Front street of which assessment the first half of the first installment, amounting to the sum of \$32.55 was due and payable in June, 1930.

With respect to the second parcel of land above described, the title to the same is held by the Volunteers of America subject to the following exceptions:

1. On February 3, 1928, said corporation, the Volunteers of America executed and delivered to the Buckeye State Building and Loan Company a mortgage on said parcel of land for the purpose of securing the mortgagor's obligation on a promissory note in and for the sum of \$33,500.00, payable to said mortgagee in monthly installments of \$250.00 each. This mortgage is not satisfied of record and the same to the extent of the amount remaining unpaid upon the note secured thereby is a lien upon this property.

The accrued taxes upon this property has been remitted by the Tax Commission, and in the abstract of title submitted this property is noted as exempt with respect to the undetermined taxes for the year 1930.

The following assessments on said property are here noted as exceptions to said title:

2. There is a balance of \$274.21 remaining due for the improvement of Front street. Of this amount, the sixth and seventh installments amounting to the sum of \$182.82 principal, \$35.19 interest and \$19.04 penalty, were due and payable in June, 1930.

There is an assessment in the sum of \$325.48 on this parcel of land for a lighting system on Front street. Of this amount the first half of the first installment amounting to \$32.55 was due and payable in June, 1930.

With said supplemented and corrected abstracts of title, there is submitted to me a warranty deed executed by the Volunteers of America, conveying both of the above described parcels of land to the State of Ohio.

Upon examination of said deed, I find that the same has been properly executed and acknowledged by the president and secretary of said corporation, acting in its behalf, in the manner required by law, and that said deed as to form is sufficient to convey the above described parcels of land, together with the appurtenances thereunto belonging to the State of Ohio free and clear of all encumbrances whatsoever, except any and all taxes and assessments becoming due and payable after the June, 1930, collection of such taxes and assessments.

Upon examination of Encumbrance Estimate No. 624, covering the purchase price of the above described parcels of land, I find that the same have been properly executed and approved and that there is shown by the provisions thereof that there are sufficient balances in the proper appropriation account to pay the purchase price of the above described property which is the sum of \$87,468.00.

I am herewith forwarding to you said abstracts of title, warranty deed and encumbrance estimate.

Respectfully,
GILBERT BETTMAN,
Attorney General.