

is established that Maria S. Joyner has title to the land in consideration, the deed will be sufficient, when delivered, to pass that title.

I herewith return the abstract, the deed, encumbrance estimate and other papers submitted therewith.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*

1654.

APPROVAL, ABSTRACT OF TITLE TO LAND OF CHARLES M. LOTT,  
FOR SCIOTO TRAIL FOREST, ROSS COUNTY.

COLUMBUS, OHIO, February 1, 1928.

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

DEAR SIR:—You have submitted for my examination and opinion an abstract of title to certain real estate which it is proposed to purchase from Charles M. Lott for an addition to the Scioto Trail State Forest in Ross County. The abstract submitted was prepared by Lyle S. Evans, abstracter, of Chillicothe, Ohio, bears his certificate as of October 13, 1927, and covers the following real estate, situated in the Township of Franklin, County of Ross and State of Ohio, to-wit:

FIRST TRACT: Being parts of Surveys Nos. 15056 and 3151, being in Franklin Township, Ross County, Ohio, beginning at a red oak S. 5 degrees W. 24 poles from the southwest corner of a tract of 100 acres belonging to Godfried Linburger; thence S. 5 degrees W. 100 poles to a white oak and small hickory; thence S. 85 degrees E. 160 poles to 2 white oaks and 2 black oaks; thence N. 5 degrees E. 100 poles to a black oak and 3 chestnut oaks; thence N. 85 degrees W. 160 poles to the beginning, containing 100 acres, more or less, deducting a small piece of Joseph Hans if included being the same land purchased of Dunham.

SECOND TRACT: Beginning at a white oak near a well northwest corner to a lot 40 acres sold to John Scott; thence N. 202 poles to 2 white oaks and 2 black oaks southeast corner to Dunham's 100 acre lot; thence with Dunham's line N. 85 degrees W. 160 poles to a white oak and a small hickory; thence with his line N. 5 degrees E. 100 poles to a red oak; thence S. 85 degrees E. 160 poles to a black oak and 3 chestnut oaks northeast corner to Dunham's; thence N. 55 degrees E. 29 poles to a white oak corner Survey No. 12573; thence N. 6 degrees E. 27 poles to 3 small hickories southeast corner to Godfried Linburger; thence with his line S. 87 degrees W. 184 poles to a white oak, black oak and chestnut oak corner to said Linburger's; thence N. 5 degrees E. 23 poles to 5 small chestnut oaks, southeast corner to John Banks; thence W. 80 poles to 4 small black oaks and hickory corner to Banks; thence S. 148 poles to a stake; thence W. 2 poles to 3 small chestnut oaks corner to A. Stinson; thence with Stinson's line and top of ridge S. 14 degrees E. 15 poles to 2 hickories and a white oak, S. 4 degrees E. 27 poles to 2 chestnut oaks; thence S. 16 degrees E. 35½ poles to a chestnut oak; thence S. 26½ degrees E. 13 poles to 2

hickories and a black oak, S. 70 degrees E. 24 poles to a hickory; thence N. 76½ degrees E. 46 poles to a hickory and a chestnut oak; thence S. 42 degrees E. 9 poles to a chestnut oak; thence S. 17 degrees E. 41½ poles to 3 small hickories; thence S. 64½ degrees E. 9 poles to 4 hickories from one root, S. 9 degrees E. 34 poles to a white oak; thence S. 32½ degrees W. 11 poles to a white oak in the Gap through which a country road passes; thence S. 74 degrees E. 115 poles to the beginning, containing 298 acres, more or less.

You will note that in the description of the first tract above set out, the following language appears:

“deducting a small piece of Joseph Hans if included being the same land purchased of Dunham.”

The abstract does not show any deed or deeds to Joseph Hans and the abstracter states that he has been unable to find on the records any record of such deed or deeds.

The property above described was acquired by Charles M. Lott from John P. Phillips, Jr., administrator of the estate of John R. Sherman, deceased, by a deed dated December 15, 1916. The property conveyed by said deed embraced the above described real estate, together with a tract of approximately 759 acres, heretofore acquired by the State of Ohio from Charles M. Lott by deed dated August 28, 1922. In addition to the abstract for the property above described, I have examined the abstract for the 759 acres above referred to for the purpose of supplying certain omissions in the abstract first named. An examination of the two abstracts reveals that there are some defects in the title of Charles M. Lott, but inasmuch as the chain of title of the above described real estate is practically the same as that of the 759 acre tract, the title to which in Charles M. Lott has heretofore been approved and the property purchased by the State of Ohio, I am of the opinion that the title of Charles M. Lott to the above described real estate should also be approved, and I hereby approve the same, subject to taxes for the year 1927, which are a lien and which the abstract shows to be unpaid.

You have also submitted a warranty deed from Charles M. Lott and Ada R. Lott, his wife, to the State of Ohio, covering the above described real estate, said deed having been executed on October 14, 1927. Finding said deed in proper legal form and properly executed, I hereby approve the same.

You have also submitted an encumbrance estimate bearing number 3248, issued in favor of Charles M. Lott and Ada R. Lott, in the sum of twenty-eight hundred (2800.00) dollars, which bears the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated sufficient to pay for said item. Finding said encumbrance estimate in proper legal form I hereby approve the same.

I have also secured from the secretary of the controlling board a copy of his letter to you reciting that on October 3, 1927 the controlling board authorized and consented to the expenditure of the above amount for the purchase of the above described real estate.

I am returning herewith the abstracts of title, deeds, encumbrance estimates and other papers submitted in this connection.

Respectfully,  
EDWARD C. TURNER,  
*Attorney General.*