

TEXAS TRANSPORTATION COMMISSION

HARRIS County

MINUTE ORDER

Page 1 of 1

HOUSTON District

In the city of Houston, HARRIS COUNTY, on US 59, the State of Texas acquired certain land needed for state highway purposes by instrument recorded in Volume 6602, Page 178, Deed Records of Harris County, Texas.

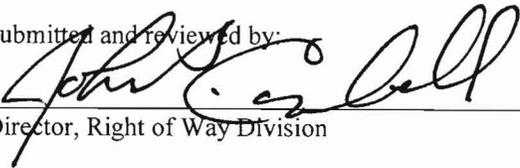
The Texas Transportation Commission (commission) approved Minute Order 111319 on March 27, 2008, authorizing the sale of surplus land, described in Exhibit A. The appraised value of the land was shown incorrectly and should be \$948,280. This minute order authorizes the sale of the surplus land for the corrected value.

The commission finds \$948,280 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

NOW, THEREFORE, IT IS ORDERED, that Minute Order 111319 be amended only with respect to the value of the surplus land, and all other provisions of Minute Order 111319 are to remain unchanged.

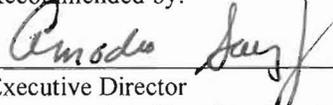
FURTHER, the commission recommends, subject to approval by the attorney general, that the Governor of Texas execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to JM Texas Land Fund No. 2, L.P., a Texas limited partnership, for \$948,280.

Submitted and reviewed by:



Director, Right of Way Division

Recommended by:



Executive Director

111387 MAY 29 08

Minute Number Date Passed

JULY 5, 2007
TRACT 1
PAGE 1 OF 4

EXHIBIT A

HIGHWAY: US 59
COUNTY: HARRIS
PROJECT LIMITS: FM 525 TO FM 1960
CSJ: 0177-07-014

PROPERTY DESCRIPTION FOR TRACT 1

BEING A 3.1280 ACRE (136,257 SQUARE FEET) TRACT OF LAND LYING IN THE GEORGE S. GARNER SURVEY, ABSTRACT NO. 288 AND BEING OUT OF AND A PART OF A 9.809 ACRE TRACT CONDEMNED BY THE STATE OF TEXAS FOR RIGHT-OF-WAY PURPOSES AND DESCRIBED AS PARCEL 40B IN VOLUME 6602, PAGE 178 OF THE HARRIS COUNTY DEED RECORDS, SAID 3.1280 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS RELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE, ALL COORDINATES ARE GRID AND MAY BE CONVERTED TO SURFACE BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99992359:

BEGINNING AT A 5/8 INCH IRON ROD SET IN THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 59 (400 FOOT WIDE) AS SHOWN ON THE TEXAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET NO. 5, STATE CONTROL NO. 0177-07-014, BEING THE NORTHWEST CORNER OF A 85.1705 ACRE TRACT CONVEYED TO JM TEXAS LAND FUND NO. 2, L.P. BY DEED RECORDED IN HARRIS COUNTY CLERKS FILE NO. X503301, BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

1) THENCE, NORTH 19 DEGREES 17 MINUTES 01 SECONDS EAST, (CALLED NORTH 21 DEGREES 46 MINUTES 30 SECONDS EAST) ALONG THE PROPOSED RIGHT-OF-WAY LINE OF US 59, A DISTANCE OF 184.68 FEET TO A 5/8 INCH IRON ROD SET AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT AT THE INTERSECTION OF THE EXISTING SOUTHERLY LINE OF RANKIN ROAD (RIGHT-OF-WAY VARIES);

2) THENCE, IN A NORTHEASTERLY DIRECTION ALONG THE PROPOSED RIGHT-OF-WAY LINE OF US 59 AND SAID CURVE TO THE RIGHT HAVING A RADIUS OF 105.36 FEET, AN INTERIOR ANGLE OF 89 DEGREES 59 MINUTES 45 SECONDS, A LENGTH OF 165.49 FEET, A CHORD BEARING NORTH 64 DEGREES 16 MINUTES 54 SECONDS EAST, 149.00 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER IN THE SOUTHERLY LINE OF SAID RANKIN ROAD;

3) THENCE, SOUTH 70 DEGREES 43 MINUTES 14 SECONDS EAST, ALONG THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF SAID RANKIN ROAD, A DISTANCE OF 336.21 FEET TO A 5/8 INCH SET AT THE BEGINNING OF A TANGENT CURVE TO THE LEFT;

JULY 5, 2007
TRACT 1
PAGE 2 OF 4

EXHIBIT _____

4) THENCE, IN A SOUTHEASTERLY DIRECTION CONTINUING ALONG THE SOUTHERLY PROPOSED RIGHT-OF-WAY LINE OF RANKIN ROAD WITH SAID CURVE TO THE LEFT HAVING A RADIUS OF 471.44 FEET, AN INTERIOR ANGLE OF 23 DEGREES 00 MINUTES 35 SECONDS, A LENGTH OF 189.33 FEET, AND A CHORD BEARING SOUTH 82 DEGREES 13 MINUTES 59 SECONDS EAST, 188.06 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

5) THENCE, SOUTH 19 DEGREES 16 MINUTES 57 SECONDS WEST (CALLED SOUTH 21 DEGREES 46 MINUTES 30 SECONDS WEST), ALONG THE EXISTING RIGHT-OF-WAY BEING A COMMON LINE OF THE HEREIN DESCRIBED TRACT AND THE NORTH LINE OF SAID 85.1705 ACRES, ALSO BEING THE EAST LINE OF SAID 9.809 ACRES FOR A DISTANCE OF 52.90 FEET TO A 5/8 INCH IRON ROD FOUND AT THE BEGINNING OF A NON TANGENT CURVE TO THE LEFT;

6) THENCE, IN A SOUTHWESTERLY DIRECTION ALONG THE NORTHERLY LINE OF SAID 85.1705 ACRES AND THE EXISTING SOUTH RIGHT-OF-WAY LINE OF SAID 9.809 ACRES WITH SAID CURVE TO THE LEFT HAVING A RADIUS OF 110.79 FEET, AN INTERIOR ANGLE OF 75 DEGREES 00 MINUTES 00 SECONDS, A LENGTH OF 145.02 FEET, AND A CHORD BEARING SOUTH 71 DEGREES 46 MINUTES 57 SECONDS WEST, 134.89 FEET TO A 5/8 INCH IRON ROD SET AT A POINT OF REVERSE CURVATURE, FROM WHICH A 5/8 INCH IRON ROD FOUND BEARS NORTH 71 DEGREES 09 MINUTES EAST, 3.97 FEET;

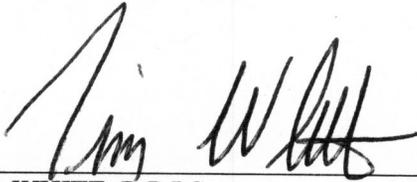
7) THENCE, CONTINUING IN A SOUTHWESTERLY DIRECTION ALONG THE NORTH LINE OF SAID 85.1705 ACRES AND THE EXISTING SOUTH RIGHT-OF-WAY LINE OF SAID 9.809 ACRES WITH SAID REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 240.00 FEET, AN INTERIOR ANGLE OF 75 DEGREES 00 MINUTES 00 SECONDS, A LENGTH OF 314.16 FEET, AN A CHORD BEARING SOUTH 71 DEGREES 46 MINUTES 57 SECONDS WEST, 292.21 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER, FROM WHICH A 5/8 INCH IRON ROD FOUND BEARS NORTH 15 DEGREES 53 MINUTES EAST, 1.95 FEET;

8) THENCE, NORTH 70 DEGREES 43 MINUTES 03 SECONDS WEST (CALLED NORTH 68 DEGREES 13 MINUTES 30 SECONDS WEST), CONTINUING ALONG THE NORTH LINE OF SAID 85.1705 ACRES AND THE EXISTING SOUTH RIGHT-OF-WAY LINE OF SAID 9.809 ACRES FOR A DISTANCE OF 220.00 FEET TO A 5/8 INCH IRON ROD FOUND AT THE BEGINNING OF A TANGENT CURVE TO THE LEFT;

JULY 5, 2007
TRACT 1
PAGE 3 OF 4

EXHIBIT _____

9) THENCE, IN A NORTHWESTERLY DIRECTION CONTINUING ALONG THE NORTH LINE OF SAID 85.1705 ACRES AND THE EXISTING SOUTH RIGHT-OF-WAY LINE OF SAID 9.809 ACRES WITH SAID CURVE TO THE LEFT HAVING A RADIUS OF 160.00 FEET, AN INTERIOR ANGLE OF 24 DEGREES 45 MINUTES 20 SECONDS, A LENGTH OF 69.13 FEET, AND A CHORD BEARING NORTH 83 DEGREES 05 MINUTES 43 SECONDS WEST, 68.59 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.1280 ACRES (136,257 SQUARE FEET) OF LAND.



7-5-07

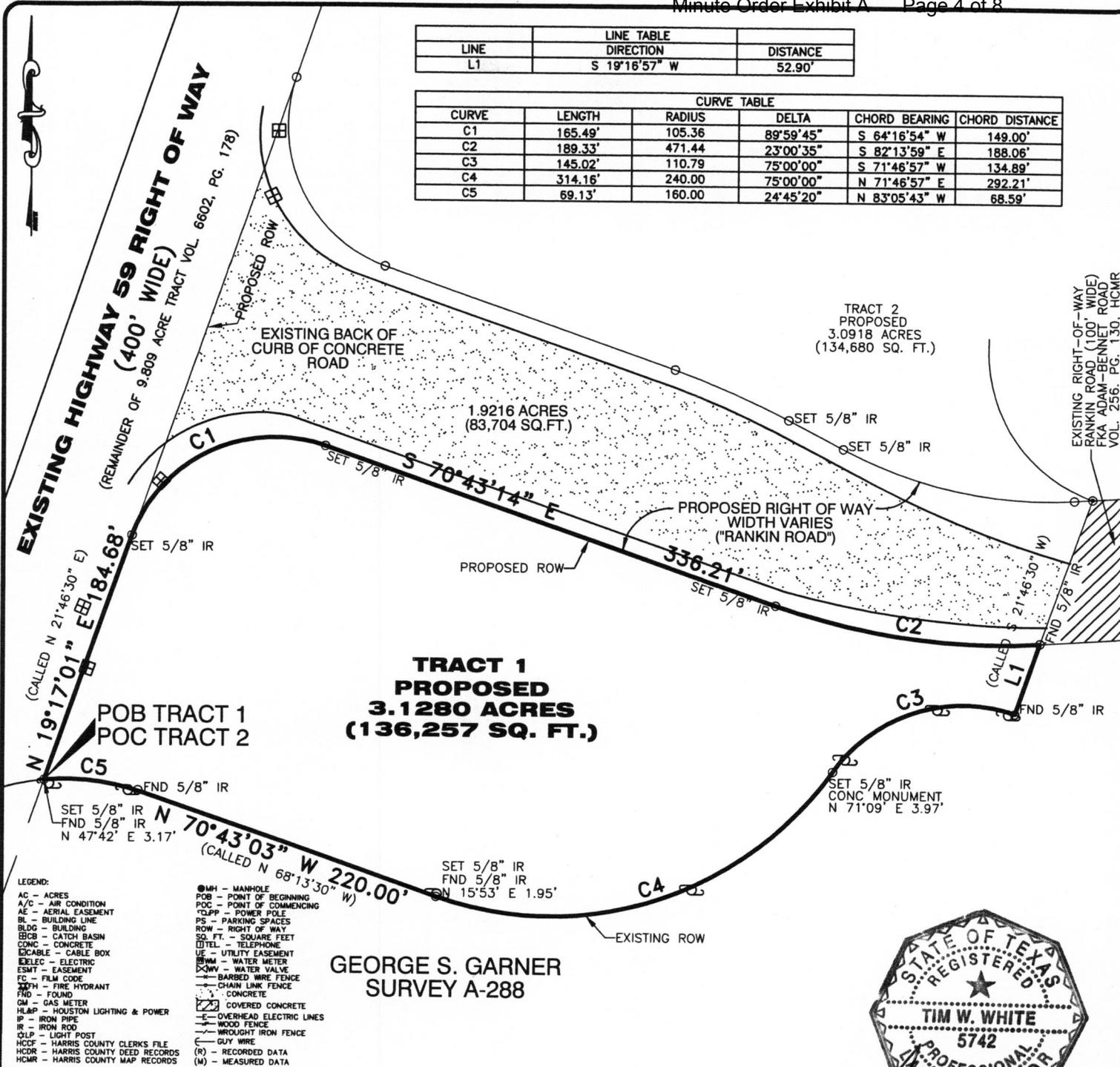
TIM W. WHITE, R.P.L.S.
TEXAS REGISTRATION NO. 2725

DATE



LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	S 19°16'57" W	52.90'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	165.49'	105.36	89°59'45"	S 64°16'54" W	149.00'
C2	189.33'	471.44	23°00'35"	S 82°13'59" E	188.06'
C3	145.02'	110.79	75°00'00"	S 71°46'57" W	134.89'
C4	314.16'	240.00	75°00'00"	N 71°46'57" E	292.21'
C5	69.13'	160.00	24°45'20"	N 83°05'43" W	68.59'



**GEORGE S. GARNER
 SURVEY A-288**



Tim W. White, Registered Professional Land Surveyor No. 5742

<p>HIGHWAY US 59 COUNTY: HARRIS PROJECT LIMITS: FM 525 TO FM 1960 CONTROL NO. 0177-07-014</p>	<p>SURPLUS ROW SHOWING PROPERTY OF TRACT 1</p>
<p>JOB NO: 109-07A DATE: 06-18-07 SCALE: 1"=100' REVISION: 7-5-07 GENERAL</p>	

SOUTH TEXAS SURVEYING ASSOCIATES, INC.
 11281 Richmond Ave. Bldg J-Suite 101 Houston, Texas 77082
 TEL. (281) 556-6918 FAX (281) 556-9331

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JULY 5, 2007
TRACT 2
PAGE 1 OF 4

EXHIBIT A

HIGHWAY: US 59
COUNTY: HARRIS
PROJECT LIMITS: FM 525 TO FM 1960
CSJ: 0177-07-014

PROPERTY DESCRIPTION FOR TRACT 2

BEING A 3.0918 ACRE (134,680 SQUARE FEET) TRACT OF LAND LYING IN THE GEORGE S. GARNER SURVEY, ABSTRACT NO. 288 AND BEING OUT OF AND A PART OF A 9.809 ACRE TRACT CONDEMNED BY THE STATE OF TEXAS FOR RIGHT-OF-WAY PURPOSES AND DESCRIBED AS TRACT 40B IN VOLUME 6602, PAGE 178 OF THE HARRIS COUNTY DEED RECORDS, SAID 3.0918 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS RELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE, ALL COORDINATES ARE GRID AND MAY BE CONVERTED TO SURFACE BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99992359:

COMMENCING AT A 5/8 INCH IRON ROD SET IN THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 59 (400 FOOT WIDE) AS SHOWN ON THE TEXAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET NO. 5, STATE CONTROL NO. 0177-07-014, BEING THE NORTHWEST CORNER OF A 85.1705 ACRE TRACT CONVEYED TO JM TEXAS LAND FUND NO. 2, L.P. BY DEED RECORDED IN HARRIS COUNTY CLERKS FILE NO. X503301; THENCE AS FOLLOWS:

NORTH 19 DEGREES 17 MINUTES 01 SECONDS EAST, ALONG THE PROPOSED EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 59 FOR A DISTANCE OF 526.24 FEET TO A 5/8 INCH IRON ROD SET FOR THE NORTHERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

1) THENCE NORTH 19 DEGREES 17 MINUTES 01 SECONDS EAST (CALLED NORTH 21 DEGREES 46 MINUTES 30 SECONDS EAST), CONTINUING ALONG THE PROPOSED EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 59, A DISTANCE OF 184.73 FEET TO A 5/8 INCH IRON ROD SET AT THE BEGINNING OF A NON TANGENT CURVE TO THE LEFT FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, BEING THE WESTERLY SOUTHWEST CORNER OF A 18.4954 ACRE TRACT CONVEYED TO JM TEXAS LAND FUND NO. 2, L.P. IN DEED RECORDED IN HARRIS COUNTY CLERKS FILE NO. X503298;

2) THENCE, ON A SOUTHEASTERLY DIRECTION ALONG THE SOUTH LINE OF SAID 18.4954 ACRES AND THE EXISTING NORTH RIGHT-OF-WAY LINE OF SAID 9.809 ACRES WITH SAID CURVE TO THE LEFT HAVING A RADIUS OF 160.00 FEET, AN INTERIOR ANGLE OF 24 DEGREES 45 MINUTES 08 SECONDS, A LENGTH OF 69.12 FEET, AND A CHORD BEARING SOUTH 58 DEGREES 20 MINUTES 25 SECONDS EAST, 68.59 FEET TO A CONCRETE MONUMENT FOUND FOR CORNER;

JULY 5, 2007
TRACT 2
PAGE 2 OF 4

EXHIBIT _____

3) THENCE, SOUTH 70 DEGREES 42 MINUTES 59 SECONDS EAST (CALLED SOUTH 68 DEGREES 13 MINUTES 30 SECONDS EAST), CONTINUING ALONG THE SOUTH LINE OF SAID 18.4954 ACRE TRACT AND THE EXISTING NORTH RIGHT-OF-WAY LINE OF SAID 9.809 ACRES, A DISTANCE OF 220.00 FEET TO A CONCRETE MONUMENT FOUND FOR CORNER AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

4) THENCE, IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTH LINE OF SAID 18.4954 ACRE TRACT AND THE EXISTING NORTH RIGHT-OF-WAY LINE OF SAID 9.809 ACRES WITH SAID CURVE TO THE RIGHT HAVING A RADIUS OF 240.00 FEET, AN INTERIOR ANGLE OF 75 DEGREES 00 MINUTES 00 SECONDS, A LENGTH OF 314.16 FEET, AND A CHORD BEARING SOUTH 33 DEGREES 12 MINUTES 58 SECONDS EAST, 292.21 FEET TO A 5/8 INCH IRON ROD SET AT THE POINT OF REVERSE CURVATURE TO THE LEFT, FROM WHICH A CONCRETE MONUMENT FOUND BEARS SOUTH 57 DEGREES 40 MINUTES EAST, 2.82 FEET;

5) THENCE, IN A SOUTHEASTERLY DIRECTION CONTINUING ALONG THE SOUTH LINE OF SAID 18.4954 ACRE TRACT AND THE EXISTING NORTH RIGHT-OF-WAY LINE OF SAID 9.809 ACRES WITH SAID CURVE TO THE LEFT HAVING A RADIUS OF 110.79 FEET, AN INTERIOR ANGLE OF 75 DEGREES 00 MINUTES 02 SECONDS, A LENGTH OF 145.02 FEET, AND A CHORD BEARING SOUTH 33 DEGREES 12 MINUTES 59 SECONDS EAST, 134.89 FEET TO A 5/8 INCH IRON ROD SET FOR THE EAST CORNER OF THE HEREIN DESCRIBED TRACT, BEING THE NORTHWEST CORNER OF THE EXISTING RANKIN ROAD RIGHT-OF-WAY (100 FOOT WIDE) AS DESIGNATED BY INSTRUMENT RECORDED IN FILM CODE 159-20-2035 OF THE HARRIS COUNTY DEED RECORDS;

6) THENCE, SOUTH 86 DEGREES 15 MINUTES 15 SECONDS WEST, ALONG THE PROPOSED NORTH RIGHT-OF-WAY LINE OF SAID RANKIN ROAD FOR A DISTANCE OF 12.69 FEET TO A 5/8 INCH IRON ROD SET AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

7) THENCE, IN A NORTHWESTERLY DIRECTION CONTINUING ALONG THE PROPOSED NORTH RIGHT-OF-WAY LINE OF SAID RANKIN ROAD WITH SAID CURVE TO THE RIGHT HAVING A RADIUS OF 305.42 FEET, AN INTERIOR ANGLE OF 31 DEGREES 46 MINUTES 32 SECONDS, A LENGTH OF 169.38 FEET, AND A CHORD BEARING NORTH 77 DEGREES 51 MINUTES 29 SECONDS WEST, 167.22 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

8) THENCE, NORTH 61 DEGREES 58 MINUTES 13 SECONDS WEST, CONTINUING ALONG THE PROPOSED NORTH RIGHT-OF-WAY LINE OF SAID RANKIN ROAD FOR A DISTANCE OF 43.01 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER AT THE BEGINNING OF A TANGENT CURVE TO THE LEFT;

JULY 5, 2007
TRACT 2
PAGE 3 OF 4

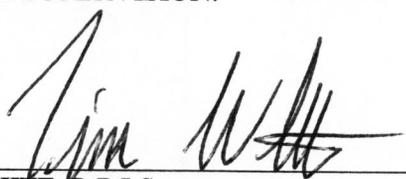
EXHIBIT _____

9) THENCE, IN A NORTHWESTERLY DIRECTION CONTINUING ALONG THE PROPOSED NORTH RIGHT-OF-WAY LINE OF SAID RANKIN ROAD WITH SAID CURVE TO THE LEFT HAVING A RADIUS OF 568.44 FEET, AN INTERIOR ANGLE OF 08 DEGREES 47 MINUTES 42 SECONDS, A LENGTH OF 87.26 FEET, AND A CHORD BEARING NORTH 66 DEGREES 22 MINUTES 04 SECONDS WEST, 87.17 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

10) THENCE, NORTH 70 DEGREES 45 MINUTES 55 SECONDS WEST, CONTINUING ALONG THE PROPOSED NORTH RIGHT-OF-WAY LINE OF SAID RANKIN ROAD FOR A DISTANCE OF 215.94 FEET TO A 5/8 INCH IRON ROD SET AT THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

11) THENCE, IN A NORTHWESTERLY DIRECTION CONTINUING ALONG THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF RANKIN ROAD WITH SAID CURVE TO THE RIGHT HAVING A RADIUS OF 102.76 FEET, AN INTERIOR ANGLE OF 90 DEGREES 02 MINUTES 57 SECONDS, A LENGTH OF 161.50 FEET, AND A CHORD BEARING NORTH 25 DEGREES 44 MINUTES 27 SECONDS WEST, 145.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.0918 ACRES (134,680 SQUARE FEET) OF LAND.

I, TIM W. WHITE, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HERON AND THE ACCOMPANYING PLAT OF EVEN DATE REPRESENT AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

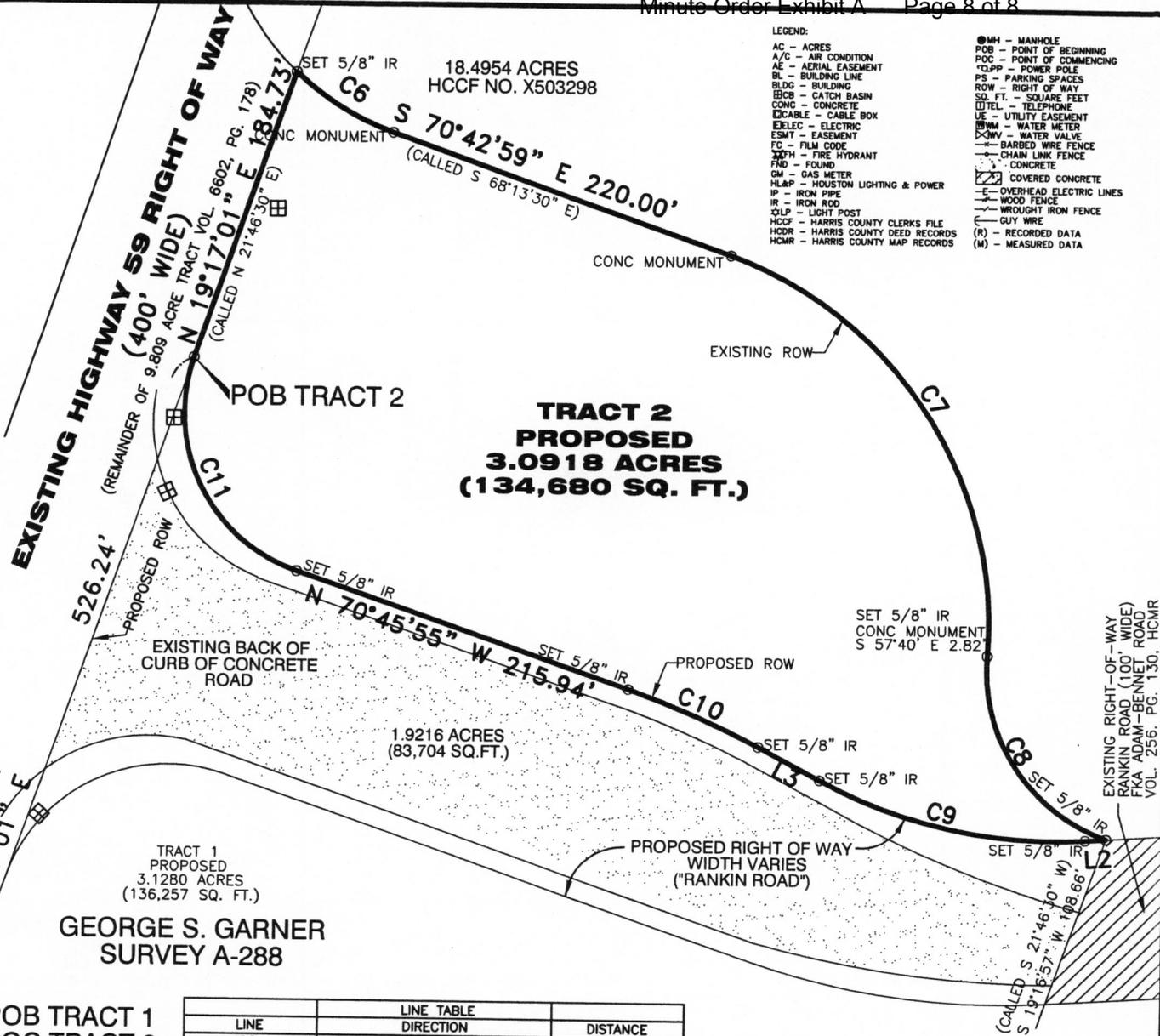


TIM W. WHITE, R.P.L.S.
TEXAS REGISTRATION NO. 2725

7-5-07
DATE



- LEGEND:
- AC - ACRES
 - A/C - AIR CONDITION
 - AE - AERIAL EASEMENT
 - BL - BUILDING LINE
 - BLC - BUILDING
 - BCB - CATCH BASIN
 - CONC - CONCRETE
 - ECABLE - CABLE BOX
 - E/ELEC - ELECTRIC
 - ESMT - EASEMENT
 - FC - FILM CODE
 - FND - FOUND
 - GM - GAS METER
 - HL&P - HOUSTON LIGHTING & POWER
 - IP - IRON PIPE
 - IR - IRON ROD
 - L&LP - LIGHT POST
 - HCCF - HARRIS COUNTY CLERKS FILE
 - HCDR - HARRIS COUNTY DEED RECORDS
 - HCMR - HARRIS COUNTY MAP RECORDS
 - MH - MANHOLE
 - POB - POINT OF BEGINNING
 - POC - POINT OF COMMENCING
 - QPP - POWER POLE
 - PS - PARKING SPACES
 - ROW - RIGHT OF WAY
 - SD, FT. - SQUARE FEET
 - TUTEL - TELEPHONE
 - UE - UTILITY EASEMENT
 - WM - WATER METER
 - WV - WATER VALVE
 - W/F - BARBED WIRE FENCE
 - W/F - CHAIN LINK FENCE
 - CONC - CONCRETE
 - CC - COVERED CONCRETE
 - OE - OVERHEAD ELECTRIC LINES
 - WF - WOOD FENCE
 - WIF - WROUGHT IRON FENCE
 - CL - CUI WIRE
 - (R) - RECORDED DATA
 - (M) - MEASURED DATA



LINE	DIRECTION	DISTANCE
L2	S 86°15'15" W	12.69'
L3	N 61°58'13" W	43.01'

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C6	69.12'	160.00	24°45'08"	S 58°20'25" E	68.59'
C7	314.16'	240.00	75°00'00"	S 33°12'58" E	292.21'
C8	145.02'	110.79	75°00'02"	S 33°12'59" E	134.89'
C9	169.38'	305.42	31°46'32"	N 77°51'29" W	167.22'
C10	87.26'	568.44	8°47'42"	N 66°22'04" W	87.17'
C11	161.50'	102.76	90°02'57"	N 25°44'27" W	145.39'

NOTES:
 1. A PROPERTY DESCRIPTION OF EVEN DATE HEREWITH OF ACCOMPANIES THIS PLAT.
 2. ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83. ALL COORDINATES ARE GRID AND MAY BE CONVERTED TO SURFACE BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99992359.



Tim W. White, Registered Professional Land Surveyor No. 5742

<p>HIGHWAY US 59 COUNTY: HARRIS PROJECT LIMITS: FM 525 TO FM 1960 CONTROL NO. 0177-07-014</p>	<p>SURPLUS ROW SHOWING PROPERTY OF TRACT 2</p>
<p>JOB NO: 109-07A DATE: 06-18-07 SCALE: 1"=100' REVISION: 7-5-07 GENERAL</p>	

SOUTH TEXAS SURVEYING ASSOCIATES, INC.
 11281 Richmond Ave. Bldg J-Suite 101 Houston, Texas 77082
 TEL. (281) 556-6918 FAX (281) 556-9331

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