KETCH OF RESUBVEY TOWNSHIP 5. NORTH. BLOCK 36. TEXAS & PACIFIC RWY. GO. SYS. DAWSON GOUNTY. L.C. G.B. Cumpton's Morrow Cavender Margrin 927 927 Mrs. GM White Mrs. English 119 Kelley R.D. Chunn Recdy lones 3129 1854 1854 10 Mrs. R.B. L. Renthen 5 Streit all other o. C.L. Gaultney Nr. Farin Beavers. Meaver S Smith Randle of 927 _ A63 1 46. -927 - 927--F.M. Neaver 624 4 H.G. U.R. Donatelson G.M. MSporter Johnson 5 Northcutt Est. Voe Kinsey Gorland M Guire 3129 Cometer 927 14 927 15 927 IP 927 9 J.D. Debnom F.Collins impler B F.M. Weaver Galloway & Debaca Reich Dunn RA. E. Riddle White S. Wilkerson & G.R. Crow & Pridely Moore Miller Carr C.M. Burton L.T. C.A. Freeman & Summerlin My Bee F.M. Weaver B.R. A. Huchdi Kidd Parida W.B. 28 26 29 W.E. W.S. Ray Jones. Garrison Julia E. 927 -Wasson W.J. Perkins 5 G.E. Jacks 854 31 34 35 32 33 Roscoe Holton N.76°30'E. 1854 927 1854 927 927 1900 1900 1901 1901 1901 39 42 38 41 47 46 44 43 1901 1901

11.400 45

Town of

Lamesa.

N.

No.

E.C. Nix

W.H.Cox

1854

1854

1854

1900

1901

36

48

T. 5. N. BIK 34 N. 76° 30'E.

State of Texas County of Dawson.

I. H. M. Stonebarm, a Licensed Land Surveyor of Texas, do hereby certify that the foregoing plat truly represents & Re-survey made by me of Township 5, North Block 36, of the Texas and Pacific Railway Company surveys in Dawson County, Texas, Said survey being made by me upon the ground in accordance with the order of the District Court of said Dawson County Texas. dated May 4th 1926, in the cases of Roscoe Holton vs. U.K. Ray, et al., No. 1125: W.E. Garrison vs. W.S. Ray, et al., Nº 1126: M.E. Riddle vs. C.L. Bank head, et al. No looo; J. H. M. Bee, et al. vs. B.R. Kidd, et al. Nº 1151, "22 D. Huddle. vs. C.A. Summerlin et al. No 1158 "ni Geo. W. Norton Est vo. Mrs. Matthe Neill et al. 98G as shown on the Minutes of the District Court of said Dowson County, - The corners of beginning and other corners ordered by the Court to be observed were strictly adhered to and all interior reterior corners were placed in decordance" with the Courts instructions as given in said orders above referred to, as is fully shown on this plat and my Repart of Survey filed in

said above mentioned acauses Witness my hand and sofficial seal at Lamesa. Tex. this 1st day of July. A.A.1926.

> M.W.Stouchacce Licensed Land Surveyor of Texas

Scale : Linch = 1000 voros.

Variation: 12º30' East.

Allcorners - dre iron pipe driven deep inground-with store Mound Distances as showin - in yaras.

FILED FOR RECORD

31 day of any 1926 19:30 Orchook a cala Shracton Curry Clerk Damasa County. Ter leven & Faigler 1 Deputy

Filed as a part of Surveyors Report incases no

986 - 1000 - 1125 - 1126 - 1158 - 1151 in District Court fourson County, Jupac. This 31. daysfang, 1946. Siala Thruston District Clerk, Chorene Faylow

Shelch - File Nº 6. Block 36 - Ts/05 T + P. Ry. Co. Dawson Comp Received in 460. from Mr. H.W. Stonehum, Lecus Land Surger Jang 21. 1927-Jill Cobison, Com. See See Copy Judgment filed 8/15/31 Clark





Nº _ 6

Court Judgments and Surveyors Plat.

Bek 36 Tsp 5

1-21-27 Stoneham-

Counter 20520

J. E. GARLAND

P

274

GARLAND & REED ATTORNEYS AT LAW GARLAND OFFICE BUILDING

+ 1.0 4 8 4

LAMESA, TEXAS

Hon J.H. Walker, Com Gen Land Office,

Auctin Texas.

Auguat Ight 1938 but July Dear Sir :- In accordance with your letter of July 8th which is en clored for your convenience, we are cending you a certified copy of one of the judgments of the district court of this county, approving the survey of Tap 5Nin Block 36, made by Surveyor H.W. Stoneham, there are several more of these judgments and Mr Stonehams work has been accepted where lines were not settled before his survey, In fact his aurvey grew out of a auggestion made to the interested parties by Mr Robison while here, This dispute was old and vexatious and all parities deaired its settlement and Mr Stoneham was appointed by the court to make the curvey and all pending cuite at the time were cettled on his aurvey, The N.E. of Sec 8 in this Block and Tap which is owned by Mr W.J.Smith of OSDonnell Texas was not involeved in litigation, but he deaires it patented according to the Stoneham survey as all adjacent lines to him are settled on that survey, and we are returning the field notes to his quarter made by Mr Stoneham after the typographical cor rections have been made as suggested in your letter and we hope that you will see your way clear to issue patent on these field noteswhich gives this quarter 156 acres, Kindly advice us the anount of the bal ance of the principal, interest and fees necessary to remit to procure the patent, A. Mr Smith or his grantors have heretofore made partial payment of the principal and interest payments based on I60 acres we hope that credit for these over payments on the nonexistent four acres can be made now on the amount necessary to procure patent. Thanking you for the courteries extended and hoping to hear from you at an early date, We are, Yours very truly,

Garlond & Reed

ounter 20521



General Land Office

State of Texas

Austin

July 8, 1931.

J. H. WALKER, COMMISSIONER S. S. SAYERS, CHIEF CLERK

> Messrs. Garland & Reed, Lamesa, Texas.

Dear Sirs:

This is to acknowledge receipt of yours of the 3rd instant inclosing certified copies of three deeds involving title to the NEL of Section 8, Block 36, Township 5N T&P in Dawson County. You likewise inclosed field notes for this tract and filing fees amounting to \$1.50.

Now the three deeds will be filed and the account will be divided placing the NET in a new account carrying 160 acres. It is noted that the field notes you sent for the NET are made by H. W. Stoneham and call for 156 acres. I am returning them herewith and call attention to the fact that this survey acems to be based on an order of court made some time in June of 1926. However, while the records here indicate that Mr. Stoneham made resurvey of some sections in that block under the order of court, nothing has been filed in this department showing the approval of Mr. Stoneham's work by the court. Inasmuch as his survey appears to be somewhat out of line with the original work, I believe the department would have to have something to show the approval of his work before we could accept the field notes of such resurvey made by him.

As above stated the account on this tract will be divided and I will place 160 acres in the NEA in a new account and if the owner does not care to furnish a copy of the order above called for, at present he can let the matter rest until such time as he cares to take out patent then the matter of accepting field notes can be looked into further. Of course you understant when field notes for this quarter are returned and filed in this department, a filing fee of \$1.00 should accompany same. There are some pencil notations on the field notes in the way of corrections indicated and these should be attended to by the surveyor before he undertakes to file field notes here.

Yours truly. Commissioner.

Hutch/k 62252

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Roscoe Holton, et al Vs. No. 1125 J. K. Ray et al Consolodated with J. H. McBee Vs. 1151 B. R. Kidd et al In the District Court of Dawson County, Texas

Special Term, August 1926.

On this the 31st day of August A. D. 1926, the above styled and numbered cause coming on to be heard persuant to an agreement duly entered into by the parties to this suit, in open court, at the last regular term hereof, and it appearing to the Court that all parties defendant who are not herein dismissed from this suit, were duly served by citation at said last regular term hereof, or else entered a personal appearance herein, and all parties to this suit having been duly appeared in person or by attorney, and having announced ready for trial, and it further appearing to the Court that this suit is one to establish the boundaries to certain lands of the plaintiff and defendant as hereinafter appears , and that H. W. Stoneham was heretofore appointed by the Court as Surveyor to run out the lines to the different tracts of land involved in this suit, and has filed herein his report and the Court having duly examined the same, together with all field notes attached, finds that said Report is in all things correct, and that the lines established by said Surveyor are true boundary lines of the lands involved in this suit. And it also appearing to the Court that said boundary lines as shown in said report and as set out in this Judgment have been recognized and agreed upon by the parties to this suit as the true and correct boundary lines of the tracts of land here involved. It is therefore ordered, adjudged and decreed by the Court that the true boundary line of the different tracts of land areas hereinafter set out, and same are hereby awarded to the respective _____ parties to this suit as follows:

First: J. H. McBee is found to be the owner of the North-West Quarter of Survey No. 19, Township 5 North, in Block No. 36 of the

Counter 20523

\$435

Texas & Pacific Ry Co. sorvey in Dawson County, the correct field notes of which are as follows, Viz:

Beginning at an iron pipe and stone mound the S. W. corner of Section 18, this block and township, for the Northe -West corner of this tract of land, being also the N. W. corner of Section 19 this blk and tsp; Thence North 76 30' East 927 varas to an irion pipe and stone mound in the center of the North line of said Section 19, for the North-East corner hereof being J. K. Ray's NW corner also;

Thence South 13 30' East along J. K. Ray's West line 950 varas to an iron pipe and stone mound in the center of said section 19, for the S.E. corner hereof, and Ray's S. W. corner in the center of the N. L. of B. R. Kidd's tract;

Thence South 76 30' West, along Kidd's North line 927 varas to an irin pipe and stone mound in the center of the West line of said Section 19, B. R. Kidd's N. W. corner, for the South-West corner hereof; Thence North 13 30' West 950 varas to the place of beginning, containing 156 acres of land.

Second: J. K. Ray is found to be the owner of the North-East Quarter of Section 19 Block 36 Township 5 North of the Texas & Pacific Railway company survey in Dawson Dawson County, Texas, the correct field notes of which are as follows: Beginning at an iron pipe and stone mound, the South East corner of Section 18, this block and township, being also the N. E. corner of Section 19, for the North-East corner hereof.

Thence South 13 30' East 950 varas to an iron pipe and stone mound on the South edge of a lake (in the center of the East line of this section) for the South-East Corner hereof, being B. R. Kid's NECCOR.

Thence South 76 30' West, along Kidd's North line 927 varas to an iron pipe and stone mound in the center of Kidd's North line being

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being also McBee's SE corner for the S. W. corner of this tract;

Thence North 13 30' West 950 varas (along McBee's East line) to an iron pipe and stone mound, McBee's NorthEast corner, for the N. W. corner hereof;

Thence North 76 30' East 927 waras to the place of beginning containing 156 acres of land.

Third: B. R. Kid is found to be the owner of the South half of Section 19, Township 5 North, Block 36 of the Texas & Pacific Railway Co. survey, in Dawson County, Texas, the correct field notes of which are as follows:

Beginning at an iron pipe and stone mound in valley West of a surface lake, the North-West corner of Section 30, this block and township, for the South-West corner of this tract of land-being the S. W. corner of said Section 19, Tsp. 5 N. Block 36;

Thence North 76 30' East at 927 varas pass an iron pipe and stone mound at the center of the N. line of Section 30, and center of South line of Section 19, continuing in all 1854 varas to an iron pipe and stone mound set by H. W. Stneham for the S. E. corner of this section and this tract, and the S. W. corner of Section 20, this block and township;

Thence North 13 30' West 950 varas to an iron pipe and stone mound, at the center of the East line of Section 19, for the North-East corner hereof; said corner being located in the Sunth edge of a surface lake,

Thence South 76 30' West at 927 varas an iron pipe and stone mound, the SE corner of McBee's tract and SW corner of J. K. Ray's quarter- continuing 1854 varas in all to an iron pipie and stone mound at center of W. line of said Section 19, N. W. corner hereof, being McBee's SW corner;

Thence South 13 30' East 950 waras to the place of beginning containing 312 acres of land.

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Fourth: F. M. Weaver is found to be the owner of the North one half $(N\frac{1}{2})$ of Section 18, Township 5 North, Block 36, Texas & Pacific Railway Company survey in Dawson County, Texas, the correct field notes of which are as follows:

Beginning at an iron pipe and stone mound, the SW corner of Section 7, this block and Township (corner described being off-set 7.2 waras to the East of the true corner) for the North-West corner of this survey;

Thence North 76 30' East at 927 varas pass an iron pipe and stone mound, the half mile corner on S. line of Section 7, continuing 1854 varas to an iron pipe and stone mound, for the North-East corner of this survey,

Thence South 13 30' East 950 varas to an iron pipe and stone mound, set equi-distance between the North-East and South-East corners of this section, for the South-east corner hereof being Bishop's NE corner.

Thence South 76 30' West along Bishop's north line, being the North line of the S_2^{\perp} of said Section, 1854 varas to an iron pipe and stone mound (off-set 7.2 varas to East of true corner) in the center of the West line of this survey (No. 18) for the SW corner hereof, being Bishop's NW corner,

Thence North 13 30' West along the center of the lane on Section line, 950 waras to the place of beginning, containing 312 acres of land.

Fifth: A. M. Bishop and M. C. Bishop, assignees of W. E. Riddlee, are found to be the owners of the South half of Section 18, Township 55 North, Block 36, Texas & Pacific Ry's Co. surveys in Dawson County, Texas, the correct field notes of which are as follows:

Beginning at an iron pipe and stone mound 5700 varas S. 13 30' East of the N. W. corner of Section 6, Block 36, Township 5 North , Texas & Pacific Railway company survey in DawsonCounty

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P#4

as fixed in the decree rendered in cause No. 41 F. M. Weaver Vs. Higginbotham et al the S. W. corner of Section 18 Blk. 36, T 5 N. for the SW corner hereof;

Thence North 13 30' West 950 varas to an iron pipe and stone mound in the center of the West line of said Section 18, for the North-West corner hereof (for purposes of preservation said iron pipe and stone mound are set 7.2 varas N. 76 30' E of the center of a lane the true corner in the approximate center of the said lane)

Thence North 76 30' East, along the South line of the North half of said Section 18, belonging to F. M. Weaver, a distance of 1854 varas, to an iron pipe and stone mound in the center of the E. line of said Section 18, for the North-east corner hereof, being also Weaver's SE corner.

Thence South 13 30' East 950 varas to an iron pipe and stone mound, for the S. E. corner of said Section 18, being also the SE. corner of this tract; the NE of Section 19 and NW of Section 20, this block and township,

Thence South 76 30' West at 927 varas pass iron pipe and stone mound J. K. ray's NW and McAbee's NE corner continuing 1854 varas to place of beginning, containing 312 acres of land.

Sixth: F. M. Weaver is found to be the owner of Section 20, Township 5 North, Block 36, Texas & Facific Railway Co. survey, in Dawson County, Texas, the correct field notes of which are as follows:

Beginning at an iron pipe and stone mound, the North-east corner of Section 19, this block and township, For the North-West corner hereof which is R. A. Car's SW corner and Bishop's SE cor.

Thence North 76 30' East at 927 varas pass iron pipe and stone mound, R. A. carr's SE and B. E. Miller's SW corner, continuing 1854 varas to an iron pipe and stone mound, SE of Ballard School House, for the North-east of this survey, being also the NW corner of Section 21, this blk. and tsp,

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Thence South 13 30' East at 950 varas pass an iron pipe and stone

mound on a small white hill, NW of house near by, 1900 varas to an iron pipe and stone mound, the SE corner hereof, being also the SW corner of Section 21, this blk. and tsp, (W. S Ray's NE corner)

Thence South 76 30' West at 927 varas pass an iron pipe and stone mound in open prairie, Ray's NW Cor.and Garrison's NE cor, continuing ia all 1854 varas to an iron pipe and stone mound for the SW corner hereof- in center of a short lane, about 8 feet distance from a large sand rock (about 12" X 20" 30 inches) μ Thence North 13 30' West at 927 varas an iron pipe and stone mound in South edge of a lake for half mile corner, being Kidd's NE corner and W. S. Ray's SE corner, continuing 1900 varas to place of beginning, containing 624 acres of land.

Seventh: R. A. Car is found to be the owner of the SouthWest of Section 17, Township 5 North, Block 36, of the Texas & Pacific Railway Co. Survey in Dawson County, Texas, the correct field notes of which are as follows:

Beginning at an iron pipe and stone mound, the South East corner of Section 18, this block and township, being also the SW corner of Section 17, and the South-West corner hereof;

Thence North 13 30' West 950 waras to an iron pipe and stone mound in center of the West line of said Section 17, for the North-West corner corner hereof, being Bishop's North-East, and Weavers's SE corner; and Galloway's SW corner,

Thence North 76 30' East, along Galloway's South line, 927 waras to an iron pipe and stone mound in center of said Section 17, for the North-east corner hereof, being also B. E. Millers NW cor.

Thence South 13 30' East 950 varas to an iron pipe and stone mound, in center of the South line of said Section 17, being Miller's SW corner and the South-east corner hereof; Phence South 76 30' East 950 varas, (along Weaver's North lind of Section 20, this block and township) to the place of beginning, 156 acres of land.

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It is therefor ordered, adjudged and decreed that the title to the above described tracts of land is hereby vested in the respective parties in accordance with the above said allotment, and any and all interests of all other parties is hereby divested out of them to such respective tracts, and writ of restitution will issue in favor of the respective parties to thhis suit for the land hereby found to be the property of such parties, on January 1st, 1927, in accordance with the provisins of this judgment.

It is hereby ordered, adjudged and decreed by the Court that the defendant W. E. Riddle on his cross-Action against the the defendant W. R. Williams, on his said Warranty of title as shown by the pleadings in said cross-action, do have and recever of and from said defendant, W. R. Williams the sam of Two Hundred and forty (\$240.00) dollars, With interest at the rate of six per cent per annum from the 2nd day of Feb'y 1919.

It appearing to the Court that the amount conveyed by said warrantor was eight acres more than the amount actually received by said grantee, and that the price for said land paid by said grantee to said grantor, was thirty (\$30.00) dollars per acre.

It is hereby orderd, adjudged and decreed by the Court that the defendant, W. R. Williams on his Crss²action against the defendant F. M. Weaver, on his warranty of title as shown by the pleadings, in said cross-action, do have and recover of and from the said defendant, F. M. Weaver the sum of One Hundred and (\$108.00) dollars, with interest at the rateof six per cent per annum from the 29th day of December 1908. It appearing to the Court that the amount of land conveyed by said warrantor to said grantee was eight acres more than the amount of land actually received by said grantee, and that the price paid for said land by said grantee to said grantor was \$13.50.per acre.

7

It is ordered, adjudged and decreed by the Court that the defendant J. K. Ray on his cross-action against the defendant R. A. Carr on his warranty of title as shown by the pleadings in said cross-action do have and recover of and from the said defendant R. A. Carr, the sum of one hundred and fifty (\$150.00) dollars, with interes at the rate of six per cent per annum from the 7th day of February, 1924. It appearing to the Court that the amount of land conveyed by said Warrantor to said Grantee was four acres more than the amount of land received by said grantee, and that the price paid for said land by said grantee was \$37.50 per acre.

It is ordered, adjudged and decreed by the Court that the defendant J. L. Howell on his cross-action against the defendant N. W. Harvick, on his warranty of title as shown by the pleadings in said cross action, do have and recover of abd from the said defendant, N. W. Harvick, the sum Twelve hundred and twenty five (\$1225.00) dollars, with interest at the rate of six percent per annum from the 16th day of December, 1923. It appearing to the Court that the amount of land conveyed by said warrantor to said grantee was forty-nine acres more than the amount of land received by said grantee, and that the price paid grantee for said land was \$25.00 per acre. And it is further ordered, that said defendant J. L. Howell take nothing by his plea of three, five and ten years limitation as contained in said cross action.

It is further ordered, adjudged and decreed by the Court that the defendant R. A. Carr on his cross-action against his warrantor Pearl Stone Dunken or her warranty of titleas shown by the pleadings do have and recover of and from said defendant, Pearl Stone Dunken, the sum of one hundred and two and 85/100 (\$102.85) dollars, with interest on said sum from this date until paid at the rate of six per cent per annum; it appearing to the Court that the amount of land conveyed by said warrantor through her two deeds to said

P8 8

grantee was four acres more than the quantity of land received by said grantee, and that the price paid by said grantee for said land was \$22.50 per acre and the total sum above stated is the amount with interes to this date from date of deeds, December 15th, 1923 and January 24th, 1924, respectively.

It is further ordered and decreed that defendant J. K. Ray take nothing by his pleas of three, five and ten years limitation as conta ined in his cross-action herein.

It is ordered by the Court that H. W. Stoneham be allowed the sumof of four Hundred dollars as costs of surveying the lands involved in this suit, and the said costs are assessed as follows: Against the plaintiff J. H. McBee ------\$40.00. Against the defendant J. K. Ray -----\$40.00. Against the defendant F. M. Weaver -----\$120.00 Against the defendant R. A. Carr -----\$40.00 Against the defendant J. L. Howell ------\$40.00 Against the plaintiff B. R. Kidd ------\$0.00 Against the defendants AM M & M. C. Bishop--80.00

It is further order, adjudged and decreed that the remainder of the Court costs be assessed equally against all of the plaintiffs and defendants in this cause, and taht execution issue for all of said costs, including the surveyors costs.

It is ordered by the Court that the respective parties to whom judgment is awarded have their execution. The State of Texas County of Dawson

I, F. A. Bostick, clerk of the District Court for Dawson County, Texas, do hereby certify that the foregoing instrument (consisting of nine pages) is a true and correct copy of the Judgment rendered in the case of Roscoe Holton et al Vs. J. K. Ray et al No. 1125. consolidated with the case of J. H. McBee Vs. B. R. Kid et al, No. 1151. and recorded in Minute Book No. 2 at pages 209 to 213 of the Court Records of Dawson Count, Texas.

In witness whereof I hereunto set my hand and the official seal of the District Court of Dawson County, Texas.

4. Bastic Clerk of Dawson County, Texas.

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SKETCH FILES, #6 DAWSON, Co.

From

Garland + Rest. Ramesa, Poro-

Judgment Court

IIS2. 1151. and recorded in the case Fild aug. 15th 1931 J.H. Walker, Cour, Clark -See Sketch Received 1/21/27

District

SK

No. 1125

ROSCOE HOLTON

J K RAY et al

IN THEDISTRICT COURT DAWSON COUNTY TEXAS APRIL TERM 1926

On this 4th day of May 1926, the above styled and numbered cause came on for hearing and the plaint iffs and defendants appeared by counsel and made known to the court that this was a boundary suit, and that the questions involved were the boundaries of township five North in Block thirty six, Texas and Facific Railway Survey in Dawson County, Texas, and that the issues in this case in principle were the same as in Cause No 1151 on the Docket of this Court, styled J H McBee, vs. B.R. Kidd, et al, and that to expedite matters and to save the time of this court and expense to the litigants that said causes should be consolidated, and that the boundaries being unsettled ins aid township and block that this court should appoint a surveyor with instructions and authority to survey the lands involved in this suit as well as in the suit above described, and

It is therefore ordered, ad judged and decreed that as id causes be and the same are hereby concolidated, and that W./M. Stoneham be and is hereby appointed to survey the boundary lines of said land and to return into this court within sixty days from this date a report of said survey defining the boundary lines of said land, together with a plat thereof and his exponse bill for making said survey which shall be, when approved, taxed as part of the cost in this case, and the said survey is instructed to use as his starting or beginning point the Northwest conner of survey to 6, in block NO 36, Tap 5 M., T & P Ry Co. surveys, Lawon Courty, Texas, as said corner is defined in the judgment rendered in cause 36 F. M Weaver vs. R. W Hightbothem et al., as the same is recorded in Vol 21, page 182, et set., of the Deed Records of Dawson Courty, Toxas, and to escerial the distance between said corner and the Northeast corner of said Block 36, as defined in said judgment and should there be in the distance between said corners a shortage making an insufficient distance for six sections of land or 1900 varas each then to make this survey on an apportionment of said shortage equally among the various sections in said lock and to ascertain the distance between the said Northwest corner of saction 6, Tsp 5 N. and the southwest corners should be either an excess of a shortage in its proper proportion to eight sections of land of 1900 varas each, then to apportion said excess or shortage in its proper proportion to eight sections of and of 1900 varas each, then to apport that this court should and would have full authority to make and enter all orders necessary to a final disposition of the subject matter of this suit through their attorneys of record that when and report was made in court as shove provided for that this court should and would have full authority to make and enter all orders necessary to a final disposition of the subject matter of this suit including writs of their respective tracts of land; for executio

Judge Presiding.

Counter 20539

Statch Files Dawson Co --2515 Aubmittet by MA Connection with contel field notes -1-21-1927 F/M- reto Su letter to Stoneham 10/19/28 221 Clorke 221.00(616. 121