Appendix P

CONDEMNATION PLANS AND EXHIBIT SAMPLES

MONTANA RIGHT-OF-WAY
DESIGN MANUAL

Spaceholder page for double-sided printing.

Appendix P
CONDEMNATION PLANS AND EXHIBIT SAMPLES

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Spaceholder page for double-sided printing.

Revised: 7/1/09

To prepare the R/W plans for condemnation, all construction permits must be revised to temporary easements utilizing the blue sheet process.
- Parcel 5 is shown after the condemnation revision process with temporary easements replacing construction permits.

See Section 26-2.1

OWNERSHIP

PARCEL	NAME	ADDRESS	TOTAL AREA METRIC	TOTAL AREA ENGLISH	GROSS R/W AREA METRIC	GROSS R/W AREA ENGLISH	EX. EASE. AREA METRIC	EX. EASE. AREA ENGLISH	NET AREA METRIC	NET AREA ENGLISH	REMAINDER LEFT METRIC	REMAINDER LEFT ENGLISH	REMAINDER RIGHT METRIC	REMAINDER RIGHT ENGLISH	CONST. PMT. AREA METRIC	CONST. PMT. AREA ENGLISH	EASE. ARE METRIC	EASE. ARE EN	
1	NEW HORIZON ENTERPRISES, INC. A NEVADA CORPORATION	4259 GREENHORN COURT, RENO NV 89509	64.750+ha	160.00+AC	0.392 ha	0.97 AC			0.392 ha	0.97 AC					2.118 ha	5.23 AC			
2	NEW HORIZON ENTERPRISES, INC. A NEVADA CORPORATION	4259 GREENHORN COURT, RENO NV 89509	64.750+ha	160.00+AC	1.001 ha	2.47 AC			1.001 ha	2.47 AC					0.329 ha	0.81 AC			
1 & 2	COMBINATION				1.393 ha	3.44 AC			1.393 ha	3.44 AC					2.447 ha	6.04 AC			
3	AUDREY K. & JACK A. PARKS	BOX 244 COLUMBUS MT, 59019	64.750+ha	160.00+AC	3.065 ha	7.57 AC	2.283 ha	5.64 AC	0.782 ha	1.93 AC					0.252 ha	0.62 AC	K 0.184 ha	K 0.45 AC	10-13
4	SEATTLE CATTLE, LLC	1006 ROSEMONT BOULEVARD, BELLEVUE , WA 98008	64.750+ha	160.00+AC	2.001 ha	4.95 AC	0.902 ha	2.23 AC	1.099 ha	2.72 AC					0.046 ha	0.11 AC			10, 11
5	LAURIANN W. COONEY	P.O. BOX 1020 BIG TIMBER, MT 59011	64.750+ha	160.00+AC	1.108 ha	2.74 AC			1.108 ha	2.74 AC					*0.092 ha	*0.23 AC	A 0.017 ha	A 0.04 AC	14, 15
6	THOMAS P. BAUR	735 S. JASON ST., DENVER, CO 80223	64.750+ha	160.00+AC	0.510 ha	1.26 AC			0.510 ha	1.26 AC					0.675 ha	1.67 AC	B 0.012 ha	B 0.03 AC	13, 14
7	BENNIE L. & LOLA L. MARTIN	BOX 1191, BIG TIMBER, MT 59011	7.846 ha	19.388 AC	0.480 ha	1.19 AC			0.480 ha	1.19 AC	7.366 ha	18.198 AC					C 0.009 ha	C 0.02 AC	13
8	ROBERT W. PELATT & KAREN OSEN PELATT REVOCABLE LIVING TRUST	2347 CINNABAR AVE., PHOENIX, AZ 85028	7.001 ha	17.299 AC	0.066 ha	0.16 AC			0.066 ha	0.16 AC	6.935 ha	17.139 AC							13, 14
9	AUDREY K. & JACK A. PARKS	BOX 244 COLUMBUS MT, 59019	64.750+ha	160.00+AC	1.864 ha	4.61 AC	1.453 ha	3.59 AC	0.411 ha	1.02 AC					0.414 ha	1.02 AC	D 0.011 ha	D 0.03 AC	14, 15
3 & 9	COMBINATION				4.929 ha	12.18 AC	3.736 ha	9.23 AC	1.193 ha	2.95 AC					0.666 ha	1.64 AC	0.195 ha	0.48 AC	10-15
10	DAVID A. RAY AND ANN RAY	HC 87, BOX 2150 A, BIG TIMBER, MT 59011	64.750+ha	160.00+AC											0.041 ha	0.10 AC			16
11	DAVID S. & EMILY R. LARSON	HC 87, BOX 2141, BIG TIMBER, MT 59011	64.750+ha	160.00+AC	3.852 ha	9.52 AC	0.746 ha	1.84 AC	3.106 ha	7.68 AC							E 0.036 ha	E 0.09 AC	15, 16
12	JAMES K. TYLER	HC 89 BOX 4310, BIG TIMBER, MT 59011	57.801 ha	142.83 AC											0.026 ha	0.06 AC			16, 17
13	MICHAEL S. & DARLENE M. SANDERS	HC 88 BOX 3616, BIG TIMBER, MT 59011	34.135 ha	84.35 AC	2.542 ha	6.29 AC	0.059 ha	0.15 AC	2.483 ha	6.14 AC	31.593 ha	78.06 AC			0.488 ha	1.21 AC	F 0.063 ha	F 0.16 AC	16, 17
14	DAVID A. RAY & ANN McCANN RAY	HC 87, BOX 2150 A, BIG TIMBER, MT 59011													0.071 ha	0.18 AC			17-19
15	PLAGGEMEYER FAMILY TRUST	HC 87 BOX 2158, BIG TIMBER, MT 59011	64.750+ha	160.00+AC	8.013 ha	19.80 AC			8.013 ha	19.80 AC					* 1.802 ha	* 4.45 AC	G 0.292 ha	G 0.72 AC.	17-23
16	DEPUY ENTERPRISES, INC	ROUTE 38, BOX 2267, LIVINGSTON, MT 59047	64.750+ha	160.00+AC	5.641 ha	13.94 AC	5.194 ha	12.84 AC	0.447 ha	1.10 AC					*0.073 ha	*0.19 AC			19-22
17	LARRY W. PLAGGEMEYER & SHAWNA J. PLAGGEMEYER	HC 87, BOX 2157, BIG TIMBER, MT 59011	64.750+ha	160.00+AC	9.338 ha	23.07 AC	6.092 ha	15.05 AC	3.246 ha	8.02 AC					* 1.206 ha	* 2.98 AC	I 0.143 ha	I 0.35 AC	22-25
18	NORRIS J. JOHNSON, ½INTEREST KAREN E. JOHNSON, ½INTEREST	BOX 159, MELVILLE ROUTE, BIG TIMBER, MT 59011	64.750+ha	160.00+AC	0.255 ha	0.63 AC			0.255 ha	0.63 AC					1.730 ha	4.27 AC			24-27
19	MATT V. CREMER, GEORGE L. CREMER, JR. & RONDA C. JOHNSTON	P.O. BOX 278, MELVILLE, MT 59055	64.750+ha	160.00+AC	FOR OWNER NOTIFICATION ONLY														25-27
20	CREMER RODEO LAND & LIVESTOCK CO.	MELVILLE, MT 59055	64.750+ha	160.00+AC	13.446 ha	33.23 AC	9.700 ha	23.97 AC	3.746 ha	9.26 AC					* 1.378 ha	*3.41 AC	0.232 ha	0.57 AC	27-30
21	UNKNOWN				FOR OWNER NOTIFICATION ONLY														19
22	PAUL PFAU	9715 SHADOW ISLAND DR, SHADOW HILLS, CA 91040			FOR OWNER NOTIFICATION ONLY														15, 16
15S1	SPRING CREEK CAMP (SIGN, PERMIT # 05920)	P.O. BOX 1063, BIG TIMBER, MT 59011																	21

* TEMPORARY EASEMENT

A TO BE ACQUIRED IN THE NAME OF WHITNEY DITCH COMPANY

B 0.010 ha (0.02 AC) TO BE ACQUIRED IN THENAME OF PARCEL 7
0.002 ha (0.01 AC) TO BE ACQUIRED IN THE NAME OF PARCELS 5 & 9

C TO BE ACQUIRED IN THE NAME OF PARCEL 6

D TO BE ACQUIRED IN THE NAME OF PARCELS 5 & 6

E TO BE ACQUIRED IN THE NAME OF PARCEL 10, ETAL.

F TO BE ACQUIRED IN THE NAME OF SWEET GRASS COUNTY

G 0.024 ha (0.06 AC.) STA. 104+12 - 104+36 TO BR ACQUIRED AS EASEMENT IN THE NAME OF PARCEL 16 AND ALSO AS A CONSTRUCTION PERMIT IN THE NAME OF MONTANA DEPARTMENT OF TRASPORTATION
0.268 ha (0.66 AC.) TO BE ACQUIRED IN THE NAME OF THE MONTANA DEPARTMENT OF TRASPORTATION

I 0.117 ha (0.29 AC) TO BE ACQUIRED IN THE NAME OF SWEET GRASS COUNTY
0.010 ha (0.02 AC) TO BE ACQUIRED IN THE NAME OF THE BIG TIMBER CREEK CANAL COMPANY, ETAL.
0.016 ha (0.04 AC) TO BE ACQUIRED IN THE NAME OF THE MONTANA DEPARTMENT OF TRANSPORTATION

K TO BE ACQUIRED IN THE NAME OF PARCEL 5

NOTES:
1. ALL MEASUREMENTS ARE METRIC EXCEPT AS NOTED
2. THE PROPOSED R/W LINE WHERE A SPIRAL CURVE TRANSITION IS USED IS A CHORD RATHER THAN A CONCENTRIC CURVE.
3. THE ENGLISH AREAS ARE FOR INFORMATIONAL PURPOSES ONLY.
4. ALL STATIONS AND OFFSETS FOR R/W BREAKS ARE IN REFERENCE TO THE R/W BASELINE.

5/9/03

BACKSLOPE LIMITS INCLUDE ROUNDING
CONSTRUCTION LIMITS: CUT SECTION TOP OF CUT / TOE OF FILL DITCH BOTTOM

FHWA/DOT APPROVAL 4/15/02 9/5/02

MAP REVISED 6/11/02 10/10/02 11/19/02 12/1/02 12/18/02 12/31/02 2/12/03 3/17/03, 3/25/03, 4/3/03, 4/7/03, 5/07/03,

MONTANA
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY PLAN
SWEET GRASS COUNTY

MONTANA DEPARTMENT OF TRANSPORTATION

MONTANA CADD

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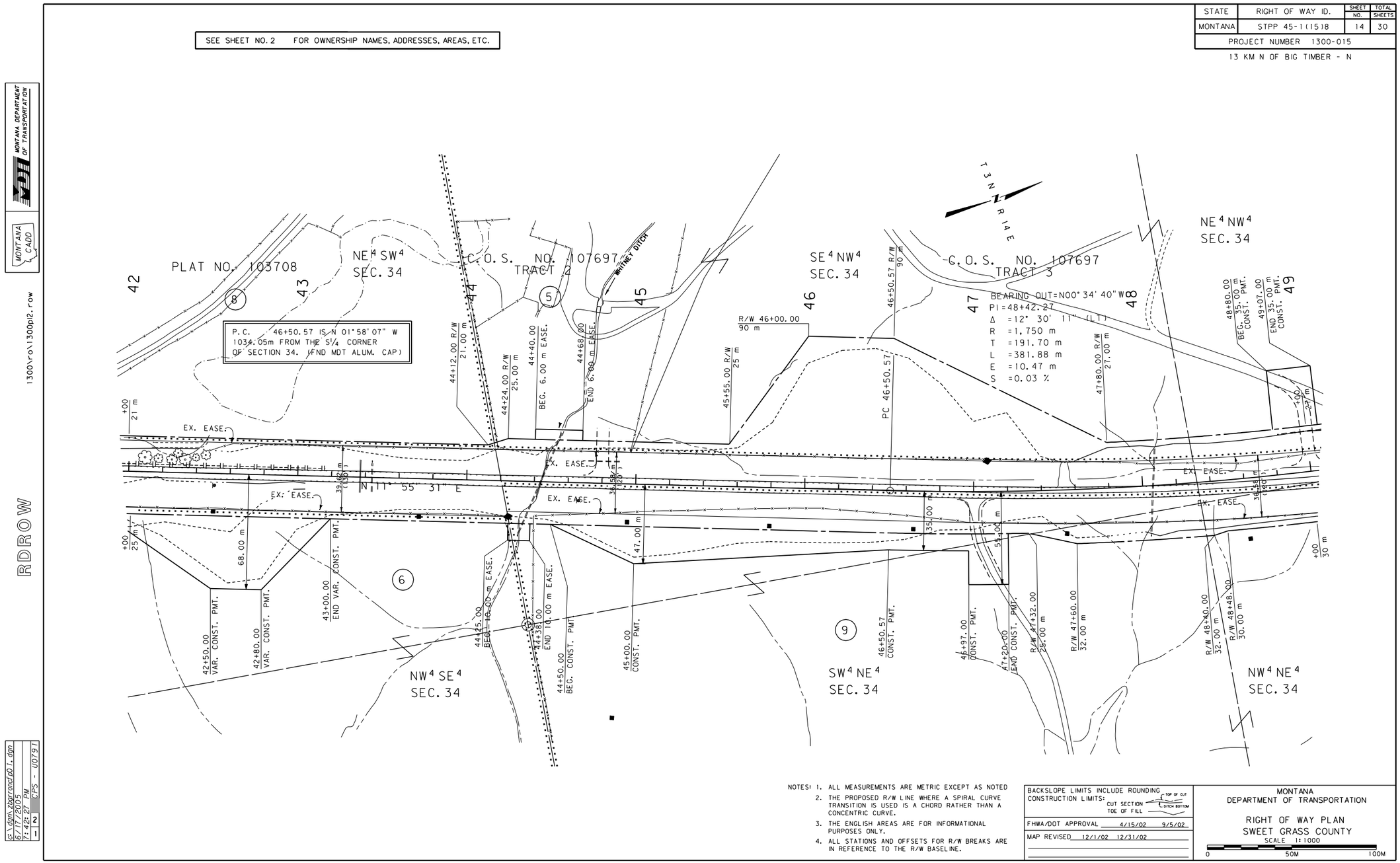
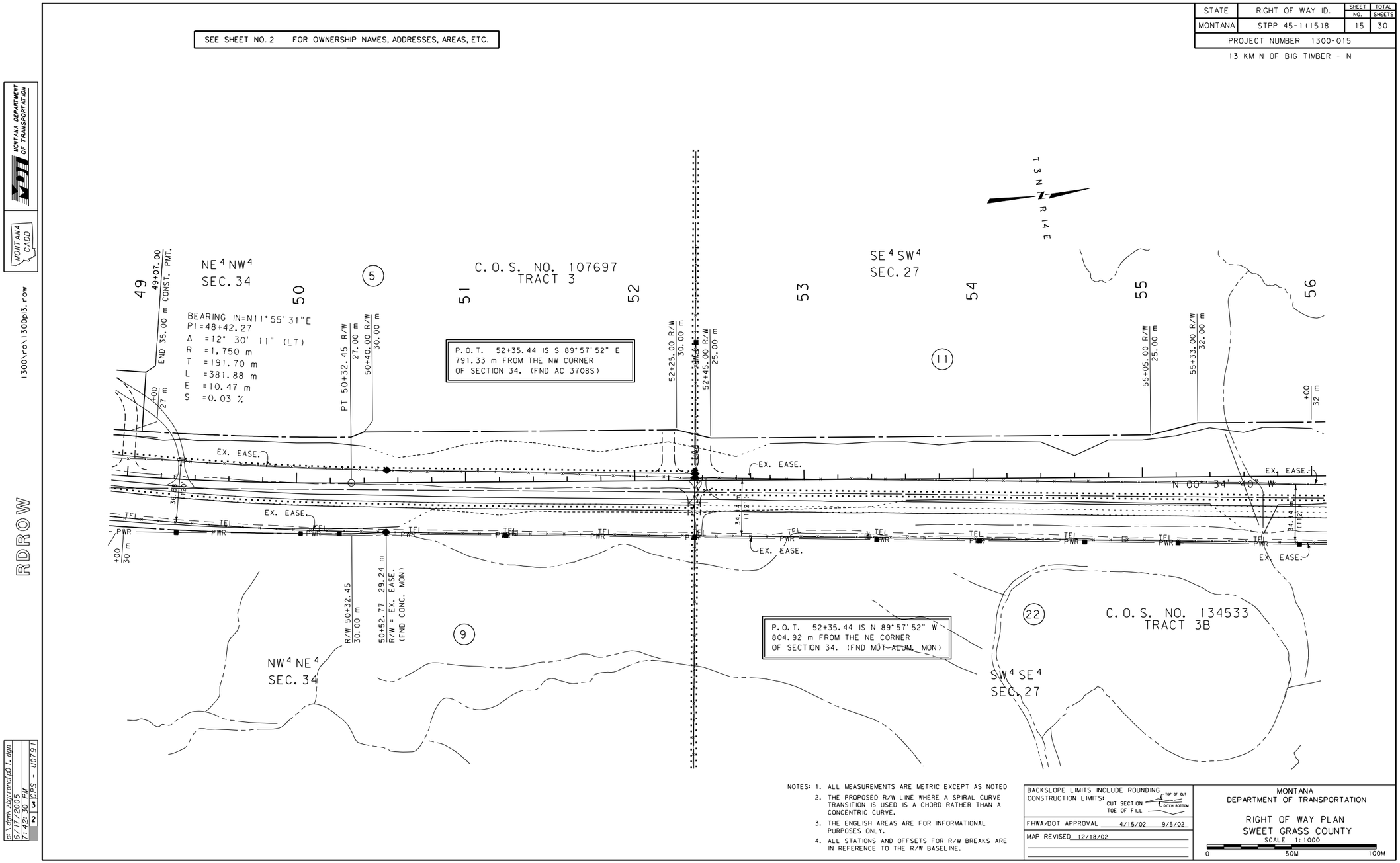
PLAN SHEETS BEFORE CONDEMNATION REVISIONS

Figure 1P



PLAN SHEETS BEFORE CONDEMNATION REVISIONS

Figure 1P (continued)



PLAN SHEETS BEFORE CONDEMNATION REVISIONS

Figure 1P (continued)

Revised: 6/30/08, 7/1/09, 9/30/10

Montana Department of Transportation
Right-of-Way Bureau
PO Box 201001
Helena, MT 59620-100

ROW\Forms\Pln\521 Revised 11/06/09

State of Montana
Department of Transportation
Right-of-Way Bureau
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

R/W ID: STPP 45-1(15)8 Parcel No.: 5 County: Sweet Grass
Designation: 13 km N of Big Timber - North
Project No.: 1300-015

Bargain and Sale Deed

This Deed, made this _____ day of_____, 20___, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, **witnesses that,**

does hereby **grant, bargain, sell** and **convey** to the **Montana Department of Transportation** the following-described real property:

Parcel No. 5 on Montana Department of Transportation Project STPP 45-1(15)8, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Sweet Grass County, Montana. Said parcel is also described as a tract of land within Tracts 2 and 3 of Certificate of Survey No. 107697 situated in the E½NW¼ and NW¼NE¼ of Section 34 Township 3 North Range 14 East P.M.,M., Sweet Grass County, Montana as shown by the shaded area on the plat consisting of 2 sheets attached hereto and made a part hereof containing an area of 1.514 ha (3.74 acres) more or less.

An easement to be acquired in the name of someone other than MDT should have a separate exhibit prepared with only the easement area shaded. SEE SECTION 25-1.1.2
Parcel 5 exhibit includes an easement to be acquired in the name of someone other than MDT. A r/w acquisition deed/exhibit is prepared separate from the easement.

EXHIBITS AND DEEDS BEFORE CONDEMNATION REVISIONS

Figure 2P

Revised: 7/1/09

Bargain and Sale Deed Parcel No.: 5
R/W ID: STPP 45-1(15)8
Designation: 13 km N of Big Timber - N

Excepting and reserving to Grantor(s), however, all gas, oil and minerals beneath the surface of the above-described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right, the surface thereof shall not be disturbed, interfered with or damaged. This exception and reservation does not include sand, gravel and other road building materials, which are conveyed by this Deed.

Further excepting and reserving unto the Grantor(s), her heirs, successors and assigns, all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia of water, water right and ditch ownership, or any interest therein appurtenant to the land described therein, save and except groundwater for the use, benefit and purposes of the Grantee(s).

To have and to hold the above-described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the Montana Department of Transportation, and to its successors and assigns forever.

This Deed was executed on the date of its last acknowledgment.

_____ _____

_____ _____

State of _____)
)
County of _____)

This instrument was acknowledged before me on _____
(date)

by _____
(Grantor(s))

_____
Notary Signature Line

_____
Notary Printed Name

(Seal)

Notary Public for State of _____
Residing at: _____
My Commission Expires: _____ / _____ / 20__ __

State of _____)
)
County of _____)

This instrument was acknowledged before me on _____
(date)

by _____
(Grantor(s))

_____
Notary Signature Line

_____
Notary Printed Name

(Seal)

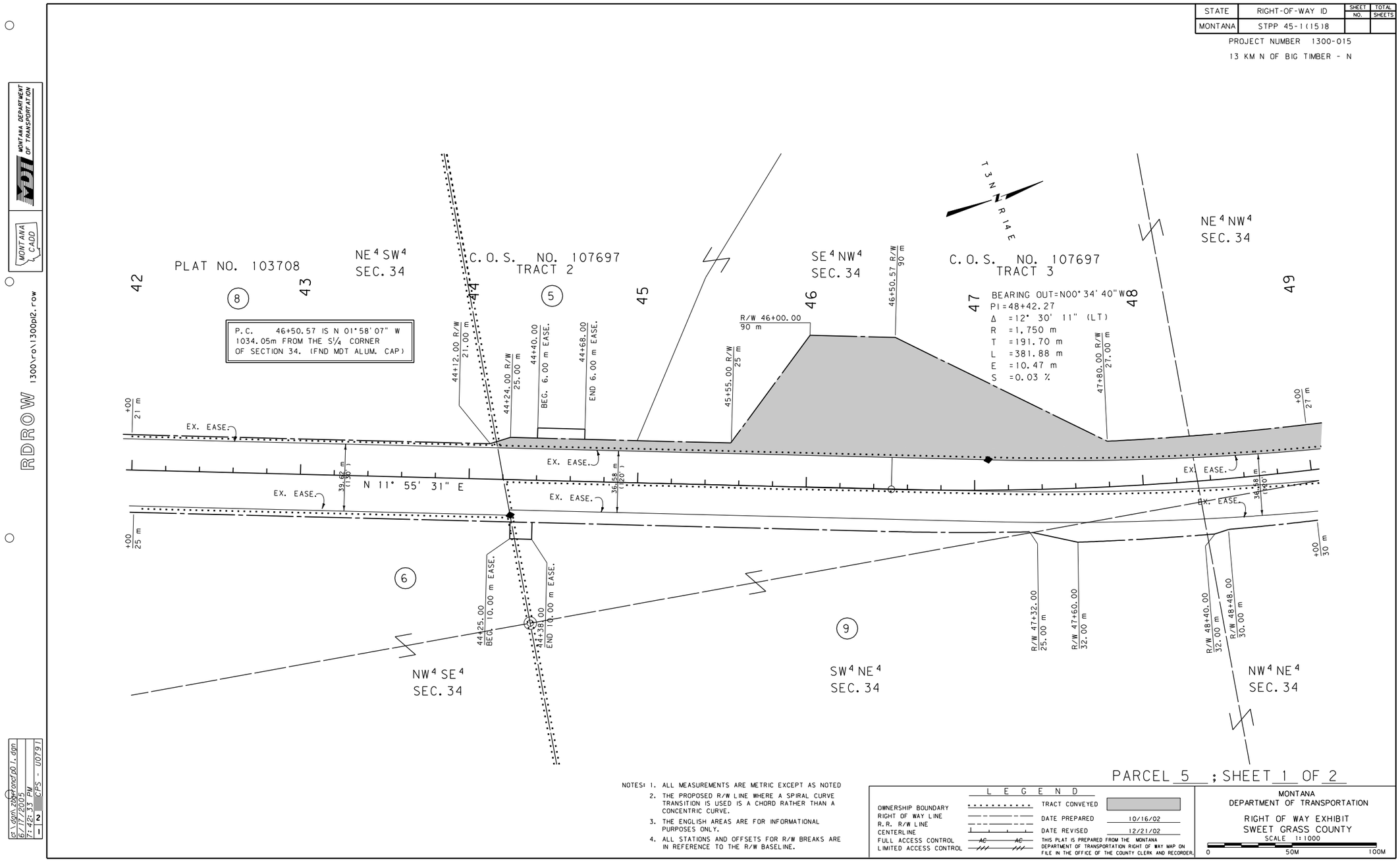
Notary Public for State of _____
Residing at: _____
My Commission Expires: _____ / _____ / 20__ __

Recording Information

Page 2 of 2

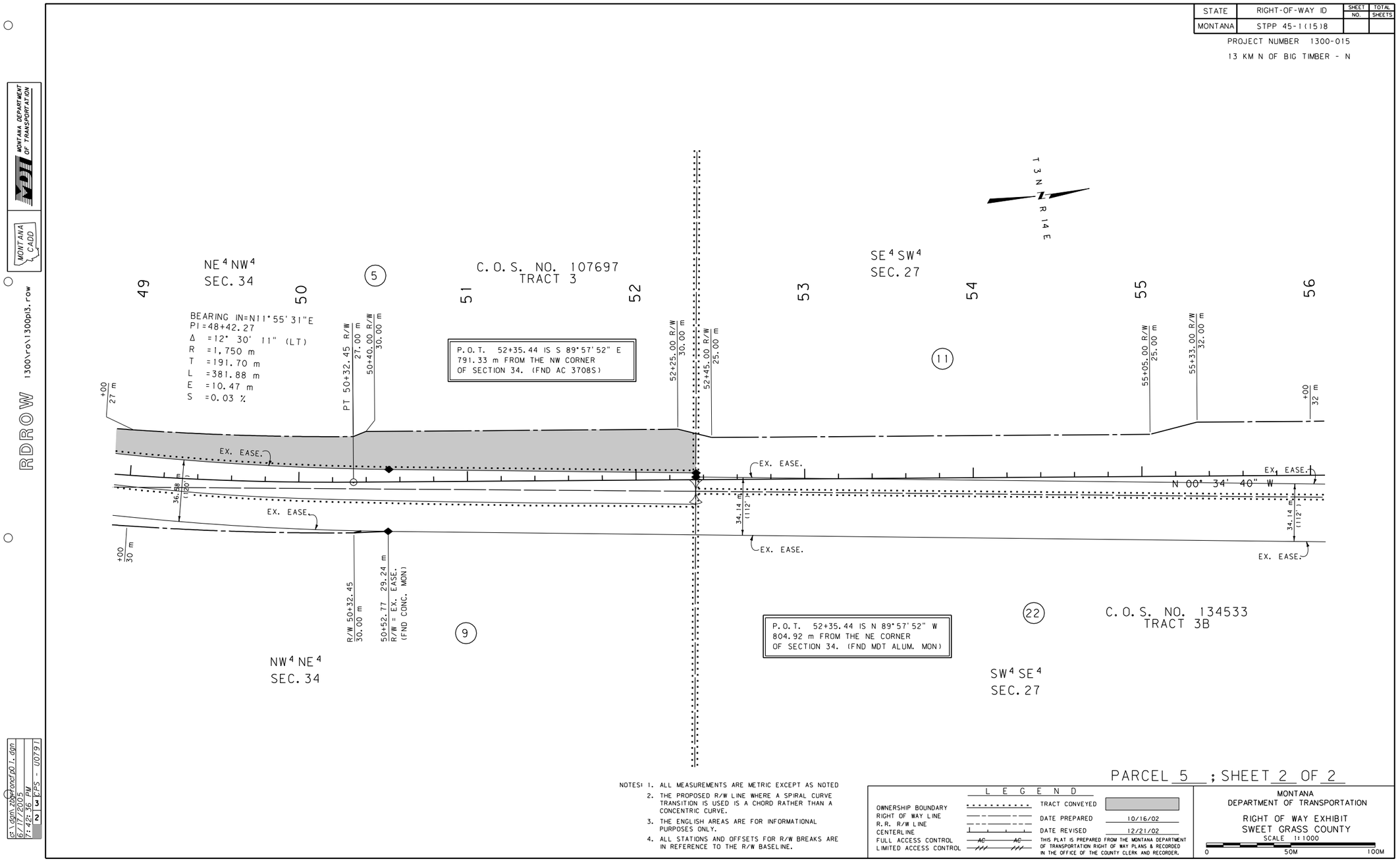
EXHIBITS AND DEEDS BEFORE CONDEMNATION REVISIONS

Figure 2P (continued)



EXHIBITS AND DEEDS BEFORE CONDEMNATION REVISIONS

Figure 3P



EXHIBITS AND DEEDS BEFORE CONDEMNATION REVISIONS

Figure 3P (continued)

Revised: 6/30/08, 7/1/09, 9/30/10

Montana Department of Transportation
Right-of-Way Bureau
PO Box 201001
Helena, MT 59620-1001

ROW\Forms\Pln\526 Revised 11/06/09

State of Montana
Department of Transportation
Right-of-Way Bureau
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

R/W ID: STPP 45-1(15)8 Parcel No.: 5 County: Sweet Grass
Designation: 13 km N of Big Timber – N
Project No.: 1300-015

EASEMENT

This Easement made this _____day of_____, 20___, in consideration of the sum of ONE DOLLAR ($1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, witnesses that,

does hereby grant, bargain, sell and convey unto

an easement for irrigation purposes, located within Parcel No. 5 on Montana Department of Transportation Project STPP 45-1(15)8, as shown on the Right-of-Way plan for said project recorded in the office of the Clerk and Recorder of Sweet Grass County, Montana. Said easement covers and embraces the following described land:

A tract of land within Tract 2 of Certificate of Survey No. 107697, situated in the SE¼NW¼ of Section 34, Township 3 North, Range 14 East, P.M.,M., Sweet Grass County, Montana, as shown by the shaded area on the plat, consisting of 1 sheet, attached hereto and made a part hereof, containing an area of 0.017 ha (0.04 acre), more or less.

Page 1 of 2

An easement to be acquired in the name of someone other than MDT should have a separate exhibit prepared with only the easement area shaded.

SEE SECTION 25-1.1.2

Parcel 5 includes an easement (Sta. 44+24 – 44+68 Lt.) to be acquired in the name of someone other than MDT.

EXHIBITS AND DEEDS BEFORE CONDEMNATION REVISIONS

Figure 4P

Easement Parcel No.: 5
R/W ID: STPP 45-1(15)8
Designation: 13 km N of Big Timber - N

TO HAVE AND TO HOLD all of the above-described property unto the Grantee(s), and their heirs, successors and assigns forever.

IN WITNESS WHEREOF

_____ _____

_____ _____

State of _____)
)
County of _____)
This instrument was acknowledged before me on _____
(date)

by _____
(Grantor(s))

_____
Notary Signature Line

_____
Notary Printed Name

(Seal)

Notary Public for State of _____
Residing at: _____
My Commission Expires: _____ / _____ / 20__ __

State of _____)
)
County of _____)
This instrument was acknowledged before me on _____
(date)

by _____
(Grantor(s))

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Page 2 of 2

EXHIBITS AND DEEDS BEFORE CONDEMNATION REVISIONS

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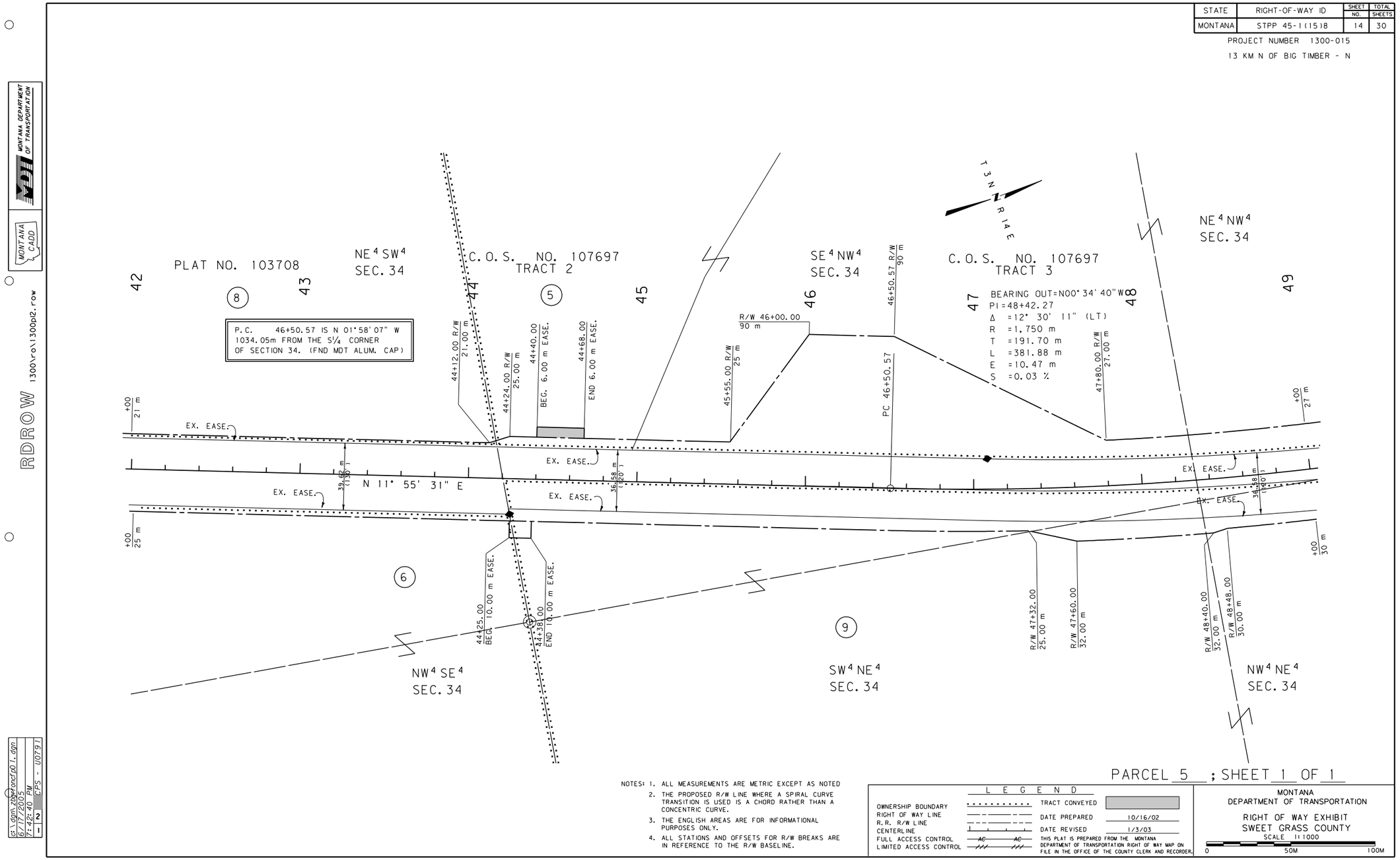

EXHIBITS AND DEEDS BEFORE CONDEMNATION REVISIONS

Figure 5P

To prepare the R/W plans for condemnation, all construction permits must be revised to temporary easements utilizing the blue sheet process.
- Parcel 5 is shown after the condemnation revision process with temporary easements replacing construction permits.

See Section 26-2.1

OWNERSHIP

PARCEL	NAME	ADDRESS	TOTAL AREA METRIC	TOTAL AREA ENGLISH	GROSS R/W AREA METRIC	GROSS R/W AREA ENGLISH	EX. EASE. AREA METRIC	EX. EASE. AREA ENGLISH	NET AREA METRIC	NET AREA ENGLISH	REMAINDER LEFT METRIC	REMAINDER LEFT ENGLISH	REMAINDER RIGHT METRIC	REMAINDER RIGHT ENGLISH	CONST. PMT. AREA METRIC	CONST. PMT. AREA ENGLISH	EASE. ARE METRIC	EASE. ARE ENGLISH	
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G 0.024 ha (0.06 AC.) STA. 104+12 - 104+36 TO BR ACQUIRED AS EASEMENT IN THE NAME OF PARCEL 16 AND ALSO AS A CONSTRUCTION PERMIT IN THE NAME OF MONTANA DEPARTMENT OF TRASPORTATION
0.268 ha (0.66 AC.) TO BE ACQUIRED IN THE NAME OF THE MONTANA DEPARTMENT OF TRASPORTATION

I 0.117 ha (0.29 AC) TO BE ACQUIRED IN THE NAME OF SWEET GRASS COUNTY
0.010 ha (0.02 AC) TO BE ACQUIRED IN THE NAME OF THE BIG TIMBER CREEK CANAL COMPANY, ETAL.
0.016 ha (0.04 AC) TO BE ACQUIRED IN THE NAME OF THE MONTANA DEPARTMENT OF TRANSPORTATION

K TO BE ACQUIRED IN THE NAME OF PARCEL 5

NOTES:
1. ALL MEASUREMENTS ARE METRIC EXCEPT AS NOTED
2. THE PROPOSED R/W LINE WHERE A SPIRAL CURVE TRANSITION IS USED IS A CHORD RATHER THAN A CONCENTRIC CURVE.
3. THE ENGLISH AREAS ARE FOR INFORMATIONAL PURPOSES ONLY.
4. ALL STATIONS AND OFFSETS FOR R/W BREAKS ARE IN REFERENCE TO THE R/W BASELINE.

5/9/03

BACKSLOPE LIMITS INCLUDE ROUNDING
CONSTRUCTION LIMITS: TOP OF CUT, CUT SECTION, DITCH BOTTOM, TOE OF FILL

FHWA/DOT APPROVAL 4/15/02 9/5/02

MAP REVISED 6/11/02 10/10/02 11/19/02 12/1/02 12/18/02 12/31/02 2/12/03 3/17/03, 3/25/03, 4/3/03, 4/7/03, 5/07/03,

MONTANA DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY PLAN
SWEET GRASS COUNTY

MONTANA DEPARTMENT OF TRANSPORTATION
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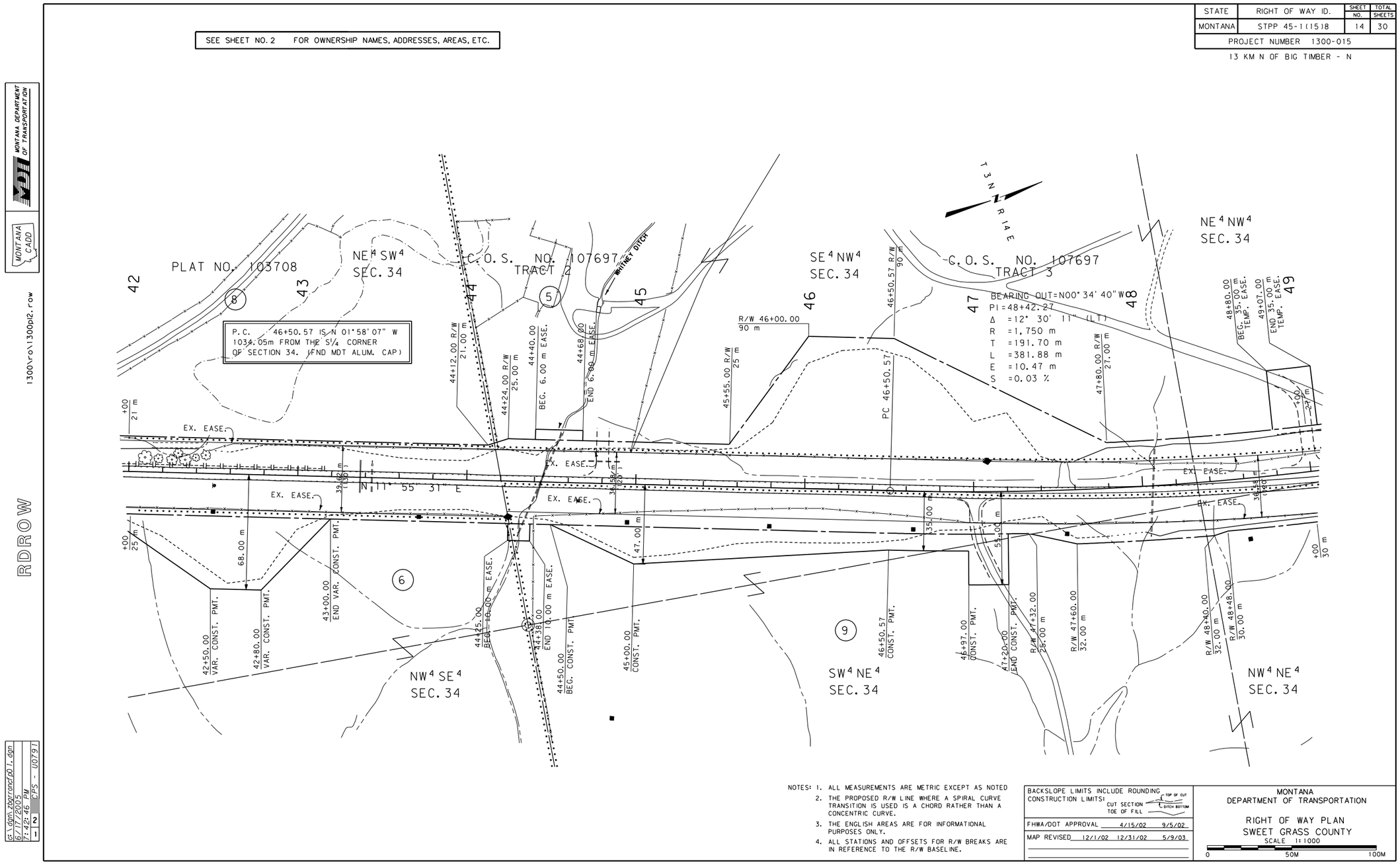
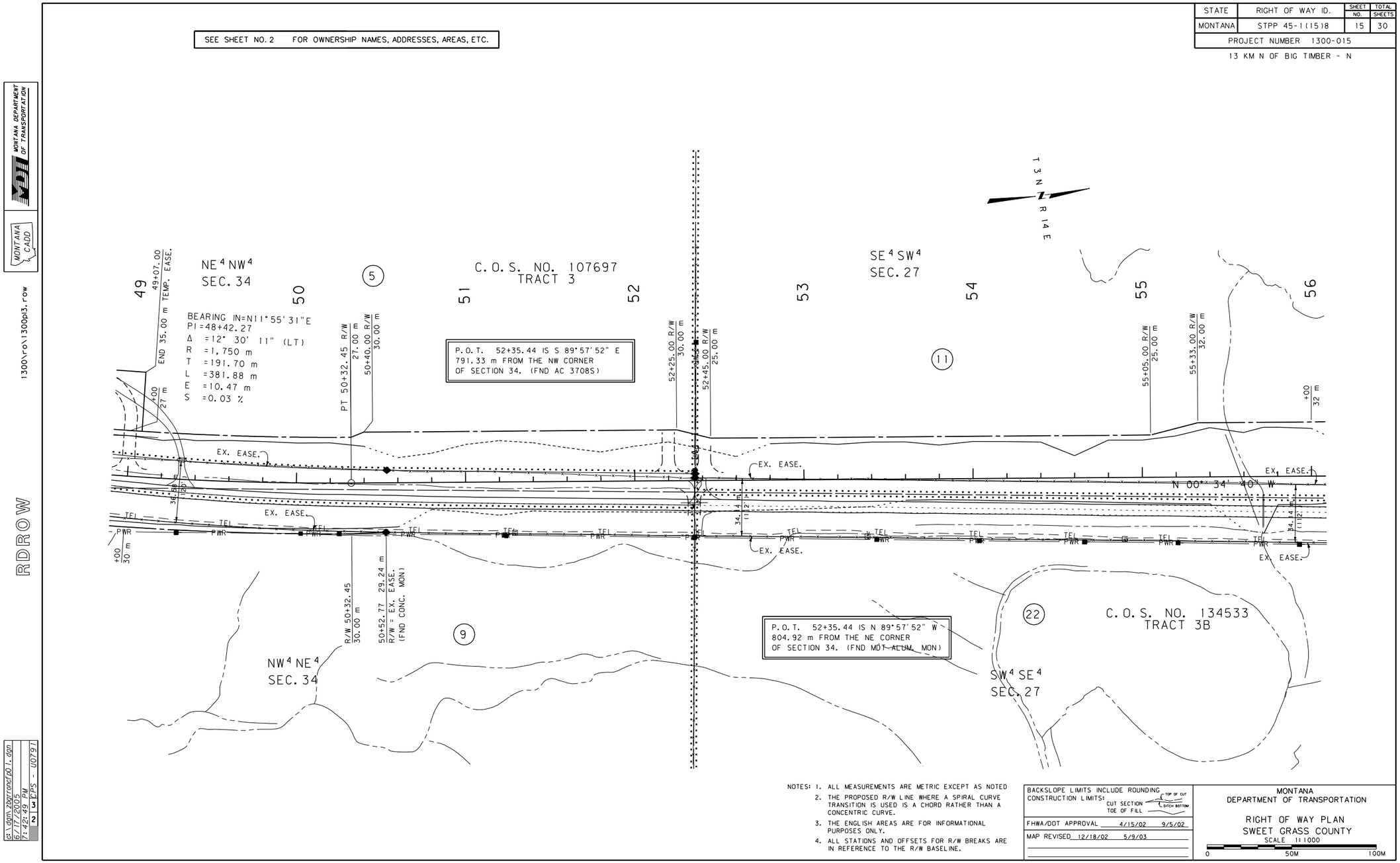
PLAN SHEETS AFTER CONDEMNATION REVISIONS

Figure 6P



PLAN SHEETS AFTER CONDEMNATION REVISIONS

Figure 6P (continued)



PLAN SHEETS AFTER CONDEMNATION REVISIONS

Figure 6P (continued)

Revised: 6/30/08, 7/1/09, 9/30/10

ROW\Forms\Pln\540 Revised 11/06/09

STPP 45-1(15)8, 13 km N of Big Timber – N, UPN 1300-015

"DESCRIPTION OF LAND REQUIRED FOR RIGHT-OF-WAY"

PARCEL NO. 5 Lauriann W. Cooney

A tract of land required for Right-of-Way on Montana Department of Transportation Project STPP 45-1(15)8, more particularly described as follows:

Parcel No. 5 on Montana Department of Transportation Project STPP 45-1(15)8, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Sweet Grass County, Montana. Said parcel is also described as a tract of land within Tracts 2 and 3 of Certificate of Survey No. 107697, situated in the E½NW¼ and NW¼NE¼ of Section 34, Township 3 North, Range 14 East, P.M.,M., Sweet Grass County, Montana, as shown by the shaded area on the plat, consisting of 2 sheet(s) attached hereto and made a part hereof, containing an area of 1.514 ha (3.74 acres), more or less.

A "Description of Land Required for R/W" form must be prepared. A "Temp/Perm Easement" form needs to be prepared for each easement. The total number of exhibit sheets included on this form should equal the number of all exhibit sheets showing r/w and easement acquisition.

SEE SECTION 26-2.3

EXHIBITS AND CONDEMNATION FORM AFTER REVISIONS

Figure 7P

Revised: 6/30/08, 7/1/09, 9/30/10

ROW\Forms\Pln\542 Revised 11/06/09

PERMANENT EASEMENT

A tract of land required for a Permanent Easement on Montana Department of Transportation Project STPP 45-1(15)8, more particularly described as follows:

A tract of land for irrigation purposes within Tract 2 of Certificate of Survey No. 107697 situated in the SE¼NW¼ of Section 34, Township 3 North, Range 14 East, P.M.,M., Sweet Grass County, Montana, as shown by the hatched area on the plat, consisting of 5, sheet(s), attached hereto and made a part hereof, containing an area of 0.017 ha (0.04 acre), more or less.

TEMPORARY EASEMENT

A tract of land required for a Temporary Easement on Montana Department of Transportation Project STPP 45-1(15)8, more particularly described as follows:

A tract of land for construction purposes within Tract 3 of Certificate of Survey No. 107697 situated in the NE¼NW¼ of Section 34, Township 3 North, Range 14 East, P.M.,M., Sweet Grass County, Montana, as shown by the hatched area on the plat, consisting of 5, sheet(s), attached hereto and made a part hereof, containing an area of 0.092 ha (0.23 acre), more or less.

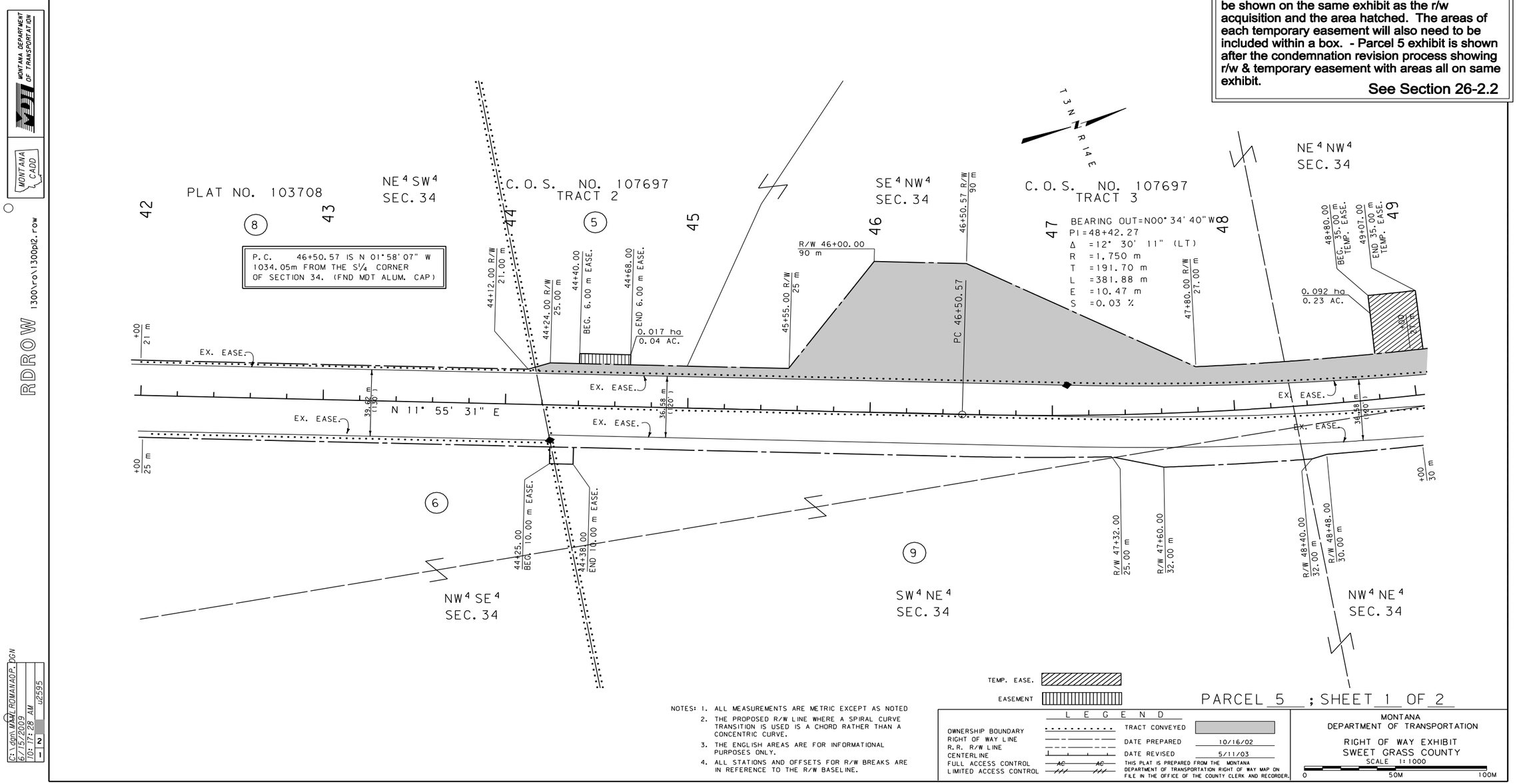
EXHIBITS AND CONDEMNATION FORM AFTER REVISIONS

Figure 7P (continued)

Revised: 7/1/09

Easements are sometimes on a separate exhibit of its own if they are to adjoining landowners for access or irrigation purposes or to the county for roadway purposes. When a parcel goes to Condemnation, these types of easements must be shown on the same exhibit as the r/w acquisition and the area hatched. The areas of each temporary easement will also need to be included within a box. - Parcel 5 exhibit is shown after the condemnation revision process showing r/w & temporary easement with areas all on same exhibit.

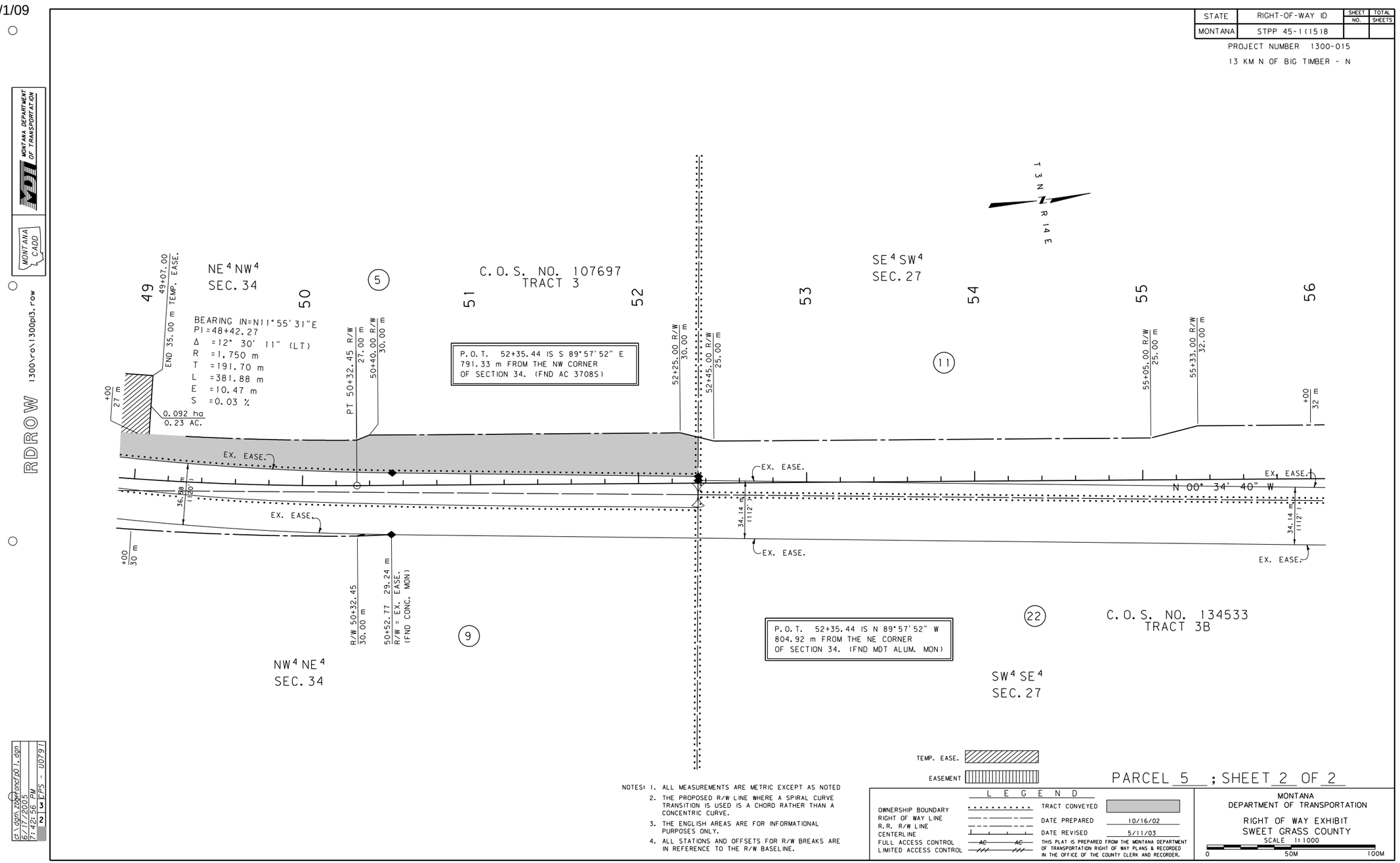
See Section 26-2.2



EXHIBITS AND CONDEMNATION FORM AFTER REVISIONS

Figure 8P

Revised: 7/1/09



EXHIBITS AND CONDEMNATION FORM AFTER REVISIONS

Figure 8P (continued)