

01-24-2001

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nal document(s) or cop(ies).

**Submission Type**

- New
- Resubmission (Non-Recordation)  
Document ID # \_\_\_\_\_
- Correction of PTO Error  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_
- Corrective Document  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

**Conveyance Type**

- Assignment
- Security Agreement
- Merger
- Change of Name
- Other
- License
- Nunc Pro Tunc Assignment  
Effective Date \_\_\_\_\_

**Conveying Party**

Name: Southdown, Inc.

Mark if additional names of conveying parties attached  
Execution date: January 1, 1999

Formerly \_\_\_\_\_

- Individual  General Partnership  Limited Partnership  Corporation  Association  Other \_\_\_\_\_
- Citizenship/State of Incorporation/Organization: Louisiana

**Receiving Party**

Name: Southdown Finance, Inc.

Mark if additional names of receiving parties attached

Address (line 1) 2601 Saturn, Suite 200

Address (line 2) Brea, California 92821

City State/Country Zip Code

- Individual  General Partnership  Limited Partnership  If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of domestic representative should be attached. (Designation must be a separate document from Assignment)
- Corporation  Association
- Other \_\_\_\_\_
- Citizenship/State of Incorporation/Organization: Delaware

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name \_\_\_\_\_  
Address (line 1) \_\_\_\_\_

**Correspondent Name and Address**

Area Code and Telephone Number: (713) 221-1529

Name: Mark A. Tidwell  
Address (line 1) Bracewell & Patterson, L.L.P.  
Address (line 2) 711 Louisiana, Suite 2900, Houston, TX 77002

**Pages** Enter the total number of pages of the attached conveyance document including any attachments 2

**Trademark Application Number(s) or Registration Number(s)**  Mark if additional numbers attached  
Either enter the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers)  
Trademark Application Number (s) \_\_\_\_\_ Registration Number(s) 2060106  
(See attached Schedule A)

**Number of Properties** Enter the total number of properties involved. 18  
Fee Amount for Properties Listed (37 CFR 3.41): \$465.00

**Fee Amount**  
Method of Payment: Enclosed  Deposit Account  Authorization to charge additional fees: Yes  No   
Deposit Account Number-enter for payment by deposit account or if additional fees can be charged to the account 50-0259

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

MARK TIDWELL  
Name of Person Signing

Signature

1/10/01  
Date Signed

01/23/2001 DBYRNE 00000275 2060100  
01 FC:481  
02 FC:482 FRC\078410\008216  
HOUSTON  
1/9/01--5:30 PM

40.00 OP  
425.00 OP

**Schedule A**  
**ASSIGNED TRADEMARKS**

<u>Trademark</u>	<u>App./Reg. No. (if any)</u>
MR. GRANITE	U.S. Reg. No. 2,060,100
GRIP & GO	U.S. Reg. No. 1,990,368
DURASCAPE	U.S. Reg. No. 1,938,946 —
COBBLELOCK	U.S. Reg. 1,830,813
L and Design	U.S. Reg. 1,614,884
CRESTITE	U.S. Reg. 1,584,702
DURASCAPE	U.S. Reg. 1,285,264
EASY SPREAD	U.S. Reg. 1,330,339
CRYSTAL SPAR	U.S. Reg. 811,120
NON-SKID BARN CALCITE (Stylized)	U.S. Reg. 587,428
CRESTITE	U.S. Reg. 513,570
GUIDE LINE	U.S. Reg. 918,720
0853 A.F. CALCITE	U.S. Reg. 555,697
LIME CREST (Stylized)	U.S. Reg. 530,450
L and Design	U.S. Reg. 833,135
LIME CREST	U.S. Reg. 817,243
LIME CREST	U.S. Reg. 962,330
GARDEN STATE	U.S. Reg. 970,459


AMENDMENT NO. 1 TO  
TRADEMARK AND INTELLECTUAL PROPERTY ASSIGNMENT

THE TRADEMARK AND INTELLECTUAL PROPERTY ASSIGNMENT ("Assignment") dated January 1, 1999, by and between Southdown, Inc. ("Assignor"), a Louisiana corporation having offices at 1200 Smith Street, Suite 2400, Houston, Texas 77002; and Southdown Finance, Inc. ("Assignee"), a Delaware corporation, having offices at 2601 Saturn Street, Suite 200, Brea, California 92821, is hereby amended by this Amendment as follows:

Attachment A of the Assignment is amended to include and assign the Trademarks, along with the goodwill associated therewith, shown on Schedule A of this Amendment.

IN WITNESS WHEREOF, Assignor has given legal effect to this Assignment by its duly authorized representative on August 25, 2000.

SOUTHDOWN, INC.

By:   
Patrick S. Bullard  
Senior Vice President-General Counsel and  
Secretary

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

Personally appeared before me this 25<sup>th</sup> day of August, 2000, Patrick S. Bullard, to me known to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

Notary Public Linda F. Harrell  
My Commission expires August 30, 2001

(SEAL)

