

04-14-2003

Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

102418389

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Wachovia Bank, National Association f/k/a First Union National Bank 4-11-03 Association checked

2. Name and address of receiving party(ies): National City Bank 1345 Chestnut Street Philadelphia PA 19107 Association checked

3. Nature of conveyance: Assignment checked, Execution Date: 03/18/2003

4. Application number(s) or registration number(s): A. Trademark Application No. B. Trademark Registration No. 1,480,315, 385,860 808,017

Additional number(s) attached No checked

5. Name and address of party to whom correspondence concerning document should be mailed: John F. Letchford Klehr, Harrison, Harvey Branzburg & Ellers LLP 260 South Broad Street Philadelphia PA 19102

6. Total number of applications and registrations involved: 3 7. Total fee (37 CFR 3.41): \$ 90.00 Enclosed checked

9. Signature: John F. Letchford Signature Date April 7, 2003 Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

TRADEMARK REEL: 002710 FRAME: 0229

## ASSIGNMENT OF TRADEMARK SECURITY AGREEMENT

This ASSIGNMENT OF TRADEMARK SECURITY AGREEMENT is executed by WACHOVIA BANK, NATIONAL ASSOCIATION, formerly known as First Union National Bank, as Administrative Agent for itself and the lenders from time to time party to the Credit Agreement referred to below ("Assignor"), as of February 28, 2003, on the following terms and conditions:

A. Assignor is party to a Credit Agreement dated as of April 22, 1999 with United States Lime & Minerals, Inc., a Texas corporation, Texas Lime Company, a Texas corporation, and Arkansas Lime Company, an Arkansas corporation (collectively, the "Borrowers"), and the lenders (each, including Assignor, a "Lender") from time to time party thereto (as amended, restated or otherwise modified and in effect from time to time, the "Credit Agreement").

B. Lenders are the legal and equitable owners and holders of those certain promissory notes in the aggregate original principal amount of \$50,000,000 (collectively, the "Notes"), each dated as of April 22, 1999, executed by Borrowers and payable to the order of the respective Lenders. Assignor is the Administrative Agent for itself and the other Lenders.

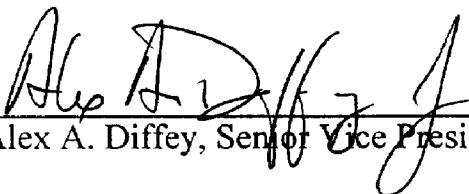
C. The Notes are secured, among other security, by a Trademark Security Agreement dated April 22, 1999 executed by Texas Lime Company and Arkansas Lime Company in favor of Assignor (the "Security Agreement") recorded by the Assignment Division of the U.S. Patent and Trademark Office on April 30, 1999 in Reel/Frame 001903/0242 covering the Trademark Registrations listed on Exhibit A attached hereto and made a part hereof.

### ASSIGNMENT:

For TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor assigns, sells, transfers, conveys and endorses to NATIONAL CITY BANK ("Assignee"), without recourse or warranty, the Security Agreement and all other documents executed in connection with the Notes, including, without limitation, all liens, mortgages and security interests securing the same, to have and to hold the same unto Assignee, its successors and assigns forever.

EXECUTED as of this day and year first above recited.

WACHOVIA BANK, NATIONAL  
ASSOCIATION (f/k/a First Union National Bank)

By:   
Alex A. Diffey, Senior Vice President

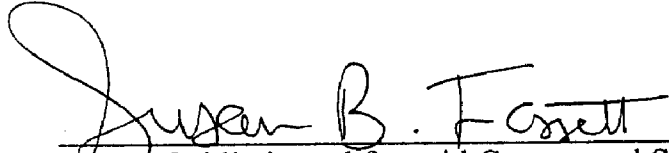
STATE OF NORTH CAROLINA §

COUNTY OF Mecklenburg §  
§  
§

On this date before me, a notary public duly commissioned, qualified, and acting within said county and state, personally appeared Alex A. Diffey, Jr., who acknowledged himself to be the Senior Vice President of Wachovia Bank, National Association (formerly known as First Union National Bank), and being authorized to do so executed the foregoing instrument for the purposes therein mentioned by signing the name of the national association by himself as Senior Vice President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 18 day of March, 2003.

(S E A L)

  
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Notary Public in and for said County and State

My Commission Expires:

April 16, 2005

Print Name of Notary:

SUSAN B. FOSSETT

**Exhibit A**  
**to Assignment of Trademark Security Agreement**

Batesville Marble	Reg. No. 1,480,315, Registered March 15, 1988 Affidavit of Continued Use filed March, 1993
Corson's Miracle Lime	Reg. No. 385,860, Registered March 18, 1941
Miracle Lime	Reg. No. 808,017, Registered May 10, 1966