

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	Termination of Security Interest

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Wachovia Capital Finance Corporation (New England), formerly known as Congress Financial Corporation (New England)		09/13/2006	CORPORATION: MASSACHUSETTS

**RECEIVING PARTY DATA**

<b>Name:</b>	The Contractor Yard, Inc. formerly known as The CY Acquisition Corp.
<b>Street Address:</b>	900 W. Trade Street
<b>Internal Address:</b>	Suite 715
<b>City:</b>	Charlotte
<b>State/Country:</b>	NORTH CAROLINA
<b>Postal Code:</b>	28202
<b>Entity Type:</b>	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 2**

Property Type	Number	Word Mark
Registration Number:	1915663	THE CONTRACTOR YARD
Registration Number:	1895765	THE CONTRACTOR YARD

**CORRESPONDENCE DATA**

**Fax Number:** (919)416-8339  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
**Phone:** 919 286-8049  
**Email:** PTO\_TMconfirmation@mvalaw.com  
**Correspondent Name:** Moore & Van Allen PLLC  
**Address Line 1:** 430 Davis Drive  
**Address Line 2:** Suite 500  
**Address Line 4:** Morrisville, NORTH CAROLINA 27560

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ATTORNEY DOCKET NUMBER:	017625.3416TTCONTRACTCLE
NAME OF SUBMITTER:	Charles L. Evans
Signature:	/Charles L. Evans/
Date:	10/02/2006
Total Attachments: 3 source=term-t the contractor yard#page1.tif source=term-t the contractor yard#page2.tif source=term-t the contractor yard#page3.tif	

## TERMINATION OF SECURITY INTEREST IN TRADEMARKS

This **TERMINATION OF SECURITY INTEREST IN TRADEMARKS**, dated as of September 13, 2006, is made by Wachovia Capital Finance Corporation (New England), f/k/a Congress Financial Corporation (New England), in its capacity as administrative agent for certain lenders (such lenders, the "Lenders") (in such capacity, the "Secured Party").

**WHEREAS**, The Contractor Yard, Inc., f/k/a The CY Acquisition Corp. (the "Grantor"), has granted a security interest in its personal property to the Secured Party, for the benefit of itself and the Lenders, including without limitation a security interest in Grantor's trademarks, trademark applications, and/or trademark licenses ("Trademarks");

**WHEREAS**, the security interest granted to the Secured Party was recorded at the United States Patent and Trademark Office on February 5, 2004 at Reel 2788 and Frame 0180; and

**WHEREAS**, the Secured Party has agreed to terminate and release its security interest in all of the Trademarks, including, without limitation, the Trademarks identified on Schedule A attached hereto.

**NOW, THEREFORE**, for valuable consideration, the Secured Party hereby terminates and releases all mortgages, liens, and security interests granted to the Secured Party in the following Trademarks:

1. all of the Trademarks including those referred to on Schedule A attached hereto;
2. all goodwill of the business connected with the use of, and symbolized by, each Trademark; and
3. all products and proceeds of the foregoing, including, without limitation, any claim by the Grantor against third parties for past, present or future (i) infringement or dilution of any Trademark or (ii) injury to the goodwill associated with any Trademark.

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**IN WITNESS WHEREOF**, the Secured Party has caused this Termination of Security Interest in Trademarks to be duly executed as of the date first set forth above.

Secured Party:

WACHOVIA CAPITAL FINANCE CORPORATION  
(NEW ENGLAND), as administrative agent

By: 

Name: Willis A. Williams

Title: Vice President

The Contractor Yard, Inc.  
(Delaware corporation)

U.S. Trademarks

Registered Marks

Mark	Registration No.	Registration Date
THE CONTRACTOR YARD and Design	1915663	8/29/95
THE CONTRACTOR YARD	1895765	5/23/95