

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM453959

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	SECURITY INTEREST		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
ELMORE SAND & GRAVEL, INC.		11/29/2017	Corporation: ALABAMA
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	COMPASS BANK		
<b>Street Address:</b>	4211 W. Boy Scout Boulevard		
<b>Internal Address:</b>	Suite 200		
<b>City:</b>	Tampa		
<b>State/Country:</b>	FLORIDA		
<b>Postal Code:</b>	33607		
<b>Entity Type:</b>	Corporation: ALABAMA		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	4417485	ELMORE QUALITY RIVER GRAVELS, ELMORE SAN	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	8132278272		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Phone:</b>	8132278172		
<b>Email:</b>	awoodruff@shutts.com, mboland@shutts.com		
<b>Correspondent Name:</b>	Adam S. Woodruff		
<b>Address Line 1:</b>	4301 W. Boy Scout Blvd.		
<b>Address Line 2:</b>	Suite 300		
<b>Address Line 4:</b>	Tampa, FLORIDA 33607		
<b>NAME OF SUBMITTER:</b>	Adam S. Woodruff		
<b>SIGNATURE:</b>	/Adam S. Woodruff/		
<b>DATE SIGNED:</b>	12/11/2017		
<b>Total Attachments: 3</b>			
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## ASSIGNMENT FOR SECURITY

### TRADEMARKS

WHEREAS, ELMORE SAND & GRAVEL, INC., an Alabama corporation (the “Assignor”) has adopted, used and is using, and holds all right, title and interest in and to, the trademark listed on the annexed **Schedule 1A**, which trademark is registered or applied for in the United States Patent and Trademark Office (the “Trademark”).

WHEREAS, among others, the Assignor, has entered into a Security Agreement, dated November 29, 2017 (as may be amended, the “Security Agreement”), in favor of Compass Bank, in its capacity as Administrative Agent for certain lenders (the “Assignee”);

WHEREAS, pursuant to the Security Agreement, the Assignor has assigned to the Assignee and granted to the Assignee for the benefit of certain lenders a continuing security interest in all right, title and interest of the Assignor in, to and under the Trademark, together with, among other things, the good-will of the business symbolized by the Trademark and the applications and registrations thereof, and all proceeds thereof, including, without limitation, any and all causes of action which may exist by reason of infringement thereof and any and all damages arising from past, present and future violations thereof (the “Collateral”), to secure the payment, performance and observance of the Secured Obligations (as defined in the Security Agreement);

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Assignor does hereby pledge, convey, sell, assign, transfer and set over unto the Assignee and grants to the Assignee for the benefit of the lenders a continuing security interest in the Collateral to secure the prompt payment, performance and for the benefit of the lenders observance of the Secured Obligations.

The Assignor does hereby further acknowledge and affirm that the rights and remedies of the Assignee with respect to the Collateral are more fully set forth in the Security Agreement, the terms and provisions of which are hereby incorporated herein by reference as if fully set forth herein.

*[Signature on the Following Page]*

The Assignor has caused this Assignment to be duly executed by its officer thereunto duly authorized as of November 29, 2017

ELMORE SAND & GRAVEL, INC.,  
an Alabama corporation

By: 

L. Baylis Carnes, III, CEO

**SCHEDULE 1A TO ASSIGNMENT FOR SECURITY**

U.S. Trademark Registration No. **4417485**  
Registration Date: October 15, 2013

