

RECORDATION NO. 2588-A Filed & Recorded

OCT 25 1974 12 45 PM

CERTIFICATION

INTERSTATE COMMERCE COMMISSION

I hereby certify that Thomas R. Armstrong, President of Fox Leasing Company appeared before me this 15th day of October, 1974, compared the following copy of the Assignment of Lease with the original, and stated the copy to be a true and correct one in all respects.

Terence A. Mice

ASSIGNMENT OF LEASE

For value received, the undersigned, FOX LEASING COMPANY ("Fox"), of Cincinnati, Ohio, does hereby sell, assign, transfer and set over to THE FIRST NATIONAL BANK OF CINCINNATI (the "Bank") all its right, title and interest in and to a certain Lease of Railway Cars entered into the 29th day of April, 19 74, with Concrete Supply Company.

Provided nevertheless that if the said Fox shall well and truly pay and perform all of the terms and conditions of a certain promissory note in the amount of \$229,500.00 TWO HUNDRED AND TWENTY NINE THOUSAND FIVE HUNDRED DOLLARS, dated September 25, 1974, to the Bank, then this Assignment shall be void and held for naught.

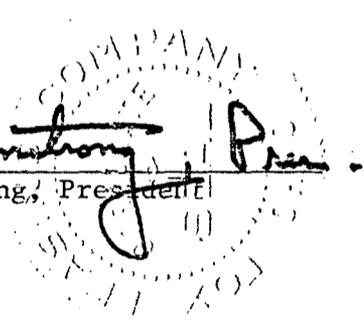
Further provided that the Bank shall have no obligation to perform any act in order to effect or enforce this Assignment in the event of default by Fox. No delay on the part of the Bank in the exercise of any right or remedy shall operate as a waiver thereof, and no single or partial exercise by it of any right or remedy shall preclude other or further exercise thereof or the exercise of any other right or remedy.

IN WITNESS WHEREOF, Fox has hereunto caused its name to be subscribed by its President duly authorized by its Board of Directors.

FOX LEASING COMPANY

Dated: 10/15/74

By Thomas R. Armstrong  
Thomas R. Armstrong, President



STATE OF OHIO, COUNTY OF HAMILTON, SS:

On this 15<sup>th</sup> day of October, 1974, before me personally appeared THOMAS R. ARMSTRONG, to me known to be the person described in and who executed the foregoing instrument and he acknowledged that he executed the same as his free act and deed, who being duly sworn says that he is the President of FOX LEASING COMPANY, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument is signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument is the free act and deed of said corporation.

GIVEN under my hand and notarial seal this 15<sup>th</sup> day of October, 1974.

Terrence A. Mire

Notary Public

TERRENCE A. MIRE, Attorney at Law  
NOTARY PUBLIC - STATE OF OHIO  
My Commission has no expiration  
date, Section 147.03 R. C.

My commission expires \_\_\_\_\_