



DJJ Transportation Services, Inc.  
a subsidiary of  
The David J. Joseph Company



July 8, 1999

Mr. Vernon Williams  
Recordations Unit  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001

RECORDATION NO. **22197-A** FILED

JUL 12 '99 11-00AM

Dear Mr. Williams:

Enclosed is an original and a copy of the Memorandum of Assignment and Assumption Agreement dated June 11, 1999 between the following parties:

Assignee: C.K Industries, Inc.  
P.O. Box 0087  
Deland, FL 32721-0087

Assignor: The David J. Joseph Company  
300 Pike Street  
Cincinnati, OH 45202

Please see the Schedule I as set forth in this document for the Equipment involved in this transaction. Please file this agreement as a secondary document. The lease in which this document is connected is recorded under Recordation Number 22197. The amount of \$26.00 is included in the enclosed check.

Sincerely,

THE DAVID J. JOSEPH COMPANY

Shelley B. Bacon  
Contract Assistant

Enclosures

300 Pike Street  
Cincinnati, Ohio 45202-4214  
(513) 621-8770  
FAX (513) 345-4422

Mail Address:  
P.O. Box 1078  
Cincinnati, Ohio 45201-1078

# 465832

JUL 12 '99

11-00AM

22197-A

**MEMORANDUM OF  
ASSIGNMENT AND ASSUMPTION AGREEMENT**

This Memorandum of Assignment and Assumption Agreement ("Memorandum of Assignment Agreement") made and entered into as of June 11, 1999, by and between DJJ TRANSPORTATION SERVICES, INC., a Delaware Corporation ("Assignor") and C.K. INDUSTRIES, INC., a Florida corporation ("Assignee").

**WITNESSETH:**

1. Assignor has agreed to assign to Assignee, that certain lease agreement dated May 17, 1999 between Assignor, as Lessor, and Sunbelt Cement of Texas L.P. for two hundred (200) railcars bearing the railroad reporting markings set forth on Schedule I.
2. This Memorandum of Assignment Agreement shall be effective as of the date first set forth hereinabove and shall be subject to the Lease Term, as defined in the Lease.

**IN WITNESS WHEREOF**, the parties hereto have caused this Memorandum of Assignment Agreement to be executed and delivered by their duly authorized representatives as of the date set forth above, but shall be effective as of June 23, 1999.

**DJJ TRANSPORTATION SERVICES, INC. (ASSIGNOR)**

By: Paul E. Loebig

Name: Paul E. Loebig

Title: Vice President

**C.K. INDUSTRIES, INC. (ASSIGNEE)**

By: Claude Bigot

Name: Claude Bigot

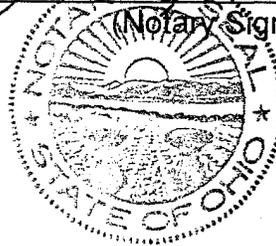
Title: President

STATE OF OHIO            )  
  ) SS:  
COUNTY OF HAMILTON)

On this 11<sup>th</sup> day of June, 1999, before me the subscriber, Shelley B. Bacon, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named Paul E. Loebig, to me personally known, who stated and acknowledged that he is the Vice President of DJJ Transportation Services, Inc., a Delaware corporation, and duly authorized by authority of the Board of Directors or By-laws of said corporation in his capacity as such officer to execute and acknowledge this document for and in the name and on behalf of said corporation and further stated and acknowledged that he has so signed, executed and delivered this document as the free and voluntary act and deed of said corporation, for the consideration, uses and purposes therein mentioned and set forth and desired that the same might be recorded as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 11<sup>th</sup> day of June, 1999.

Shelley B. Bacon  
(Notary Signature)



**SHELLEY B. BACON**  
Notary Public, State of Ohio  
My Commission Expires July 22, 2002

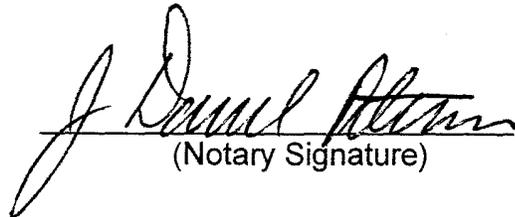
My commission expires:

July 22, 2002

STATE OF FLORIDA )  
 ) SS:  
COUNTY OF VOLUSIA )

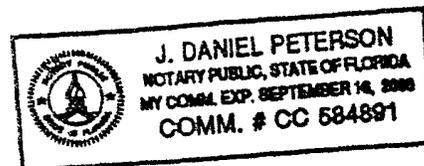
On this 14<sup>TH</sup> day of JUNE, 1999, before me the subscriber, J. DANIEL PETERSON, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named CLAUDE BIGOT, to me personally known, who stated and acknowledged that he is the PRESIDENT of C.K. INDUSTRIES, INC. a FLORIDA corporation, and duly authorized by authority of the Board of Directors or By-laws of said corporation in his capacity as such officer to execute and acknowledge this document for and in the name and on behalf of said corporation and further stated and acknowledged that he has so signed, executed and delivered this document as the free and voluntary act and deed of said corporation, for the consideration, uses and purposes therein mentioned and set forth and desired that the same might be recorded as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal  
this 14<sup>TH</sup> day of JUNE, 1999.

  
(Notary Signature)

My commission expires:

Sept. 16, 2000



**SCHEDULE I  
TO  
MEMORANDUM OF ASSIGNMENT AND ASSUMPTION AGREEMENT**

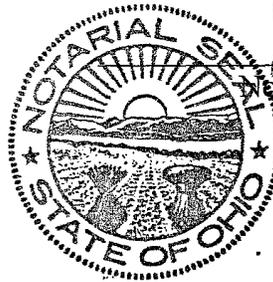
**CARS:** Two hundred (200) railcars bearing the reporting marks as follows:

DJTX 59000 – 59199, Inclusive

**LEASE:** Dated **May 17, 1999** between Sunbelt Cement of Texas L.P. and DJJ Transportation Services, Inc.

**CERTIFICATE**

The undersigned, Shelley B. Bacon notary public in and for the County of Hamilton, State of Ohio, hereby certifies that the copy of the document attached hereto has been compared with the original and that the undersigned has found the copy to be complete and identical in all respects to the original document.



*Shelley B. Bacon*

Notary Public  
**SHELLEY B. BACON**  
Notary Public, State of Ohio  
My Commission Expires July 22, 2002