

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|----------------------------------|--|-----------------------|---|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | Release of Security Interest | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Bank of America, N.A. | | 01/25/2005 | A National Banking Organization: ILLINOIS |
| RECEIVING PARTY DATA | | | |
| Name: | USAI Aggregates, Inc. | | |
| Street Address: | 4200 Colonnade Parkway | | |
| Internal Address: | Suite 100 | | |
| City: | Birmingham | | |
| State/Country: | ALABAMA | | |
| Postal Code: | 35243-2342 | | |
| Entity Type: | CORPORATION: ALABAMA | | |
| PROPERTY NUMBERS Total: 1 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 2176716 | PERC-STONE | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | (205)488-6274 | | |
| | <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> | | |
| Phone: | 2055218274 | | |
| Email: | lfriedman@bradleyarant.com | | |
| Correspondent Name: | Linda A. Friedman, Esq. | | |
| Address Line 1: | 1819 Fifth Avenue North | | |
| Address Line 4: | Birmingham, ALABAMA 35203-2104 | | |
| NAME OF SUBMITTER: | Crystal G. Wilkerson, Esq. | | |
| Signature: | /C Wilkerson/ | | |
| Date: | 01/27/2005 | | |

OP \$40.00 2176716

Total Attachments: 2

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ACKNOWLEDGMENT

Regarding That ASSIGNMENT AGREEMENT Executed 04/18/2001

Between USAI Aggregates, Inc. (formerly SRM Aggregates, Inc., formerly Southern Ready Mix, Inc.) and Bank of America, N.A.

This **ACKNOWLEDGMENT** is provided by Bank of America, N.A. ("Assignee") regarding that certain Assignment Agreement between USAI Aggregates, Inc. (formerly SRM Aggregates, Inc., formerly Southern Ready Mix, Inc.), an Alabama corporation ("Assignor"), and Assignee, executed April 18, 2001 (the "Original Agreement").

WHEREAS the Original Agreement was intended as a collateral assignment, and not as an absolute conveyance, of Assignor's interests in certain property, including, without limitation, a certain trademark, PERC-STONE (Registration No. 2,176,716); and

WHEREAS Assignee no longer asserts any security interest, lien or other interest in and to such trademark.

NOW, THEREFORE, Assignee acknowledges and agrees:

1. The Original Agreement was intended as and constituted a collateral assignment, and not an absolute conveyance, of Assignor's right, title and interest in the subject property, including, without limitation, PERC-STONE (Registration No. 2,176,716).
2. As of the date hereof, Assignee no longer asserts, but instead expressly releases and disclaims, any security interest, lien, or right, title or other interest of any type whatsoever in PERC-STONE (Registration No. 2,176,716).

WHEREFORE Assignee, intending to be legally bound, does by its authorized representative and signatory execute this Acknowledgment below:

BANK OF AMERICA, N.A.

By: 

Name: Heather Harper

Title: Assistant Vice President

Date: 1/25/05

ACKNOWLEDGMENT

STATE OF NEW YORK)
 KINGS)
COUNTY OF NEW YORK)

On this 25TH day of January 2005, before me personally appeared
HEATHER HARPER to me known who, being by me duly sworn, did depose and say
that SHE is the AVP of Bank of America, N.A. described herein and which
executed the foregoing instrument and that she signed his name thereto pursuant to the authority
of said Bank of America, N.A.

Hannelore Gabriela Braunstein
Notary Public

HANNELORE-GABRIELA BRAUNSTEIN
Notary Public, State of New York
No. 01BR6060756
Qualified in Kings County
Commission Expires July 2, 2007