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Shelby Cnty Judge of Probate, AL
06/25/1971 12:00:00 AM FILED/CERT

L. & N. R. R. COPY

AM. Col. Br. 441

MEMORANDUM TO BE ATTACHED TO AND MADE A PART OF CONTRACT DATED OCTOBER 5, 1949, HEREINAFTER CALLED "CONTRACT", BETWEEN THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY, HEREINAFTER CALLED "RAILROAD", AND VALLEY MILLS, INCORPORATED, COVERING TWO ROAD CROSSINGS, A FENCE, A PORTION OF A WAREHOUSE AND TWO BRIDGES, AT COLUMBIANA, SHELBY COUNTY, ALABAMA.

WITNESSETH, THAT:

WHEREAS, VALLEY MILLS DIVISION, BUCK CREEK INDUSTRIES, INC., a Georgia corporation whose address is 3867 Roswell Road, N.E., Atlanta, Georgia 30305, hereinafter called the "Transferee" represents to the Railroad that it has, subject to the approval of Railroad, succeeded to all right, title and interest which Valley Mills, Incorporated, hereinafter called the "Transferor", had in and to the Contract and desires to be accepted as party to the Contract in the place and stead of said Transferor, and

WHEREAS, Railroad is agreeable to such transfer and substitution only upon the following terms and conditions.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. The Railroad, relying solely upon the representation of the Transferee, hereby accepts it as party to the Contract in place and stead of the said Transferor.
2. The Transferee covenants and agrees to abide by all and singular the terms and conditions of the Contract, as amended, which but for this transfer and substitution, it would be the duty and obligation of the said Transferor to keep and perform.
3. Except as herein amended, the Contract as amended, is in all things confirmed.

WITNESS the signatures of the parties hereto this 7th day of April, 1971.

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By J. Small
As its: Assistant to
Vice President - Operation

VALLEY MILLS DIVISION, BUCK CREEK INDUSTRIES, INC.

By J. V. Carr
As its: Pres-

Approved for recording:

A. P. Pugh 5-14-71 Mgr. C.C.B.

James F. Wheeler Corporate Counsel

Approved for filing: 5-15-71

James F. Wheeler Corporate Counsel

(545-71)

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STATE OF KENTUCKY }
JEFFERSON COUNTY } SS

I, Michael F. Hutchins, a Notary Public in and for said County in said State, hereby certify that J. Small, whose name as Asst. to Vice President, of the Louisville and Nashville Railroad Company, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

My commission expires NOV 19 1972.

Given under my hand and seal of office this the 7th day of April, 19 71.

Michael F. Hutchins
Notary Public, Jefferson County, Kentucky

GEORGIA
STATE OF ALABAMA }
Fulton COUNTY } SS

I, E. Jean Higgins, a Notary Public in and for said County in said State, hereby certify that J. V. Corr, whose name as President, of the Valley Mills Division, Buck Creek Industries, Inc., a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

My commission expires NOTARY PUBLIC, STATE AT LARGE
MY COMMISSION EXPIRES FEBRUARY 12, 1972

Given under my hand and seal of office this the 19th day of April, 19 71.

E. Jean Higgins
Notary Public, Fulton County, Alabama Georgia

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1971 JUN 25 AM 9:32
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
JUDGE OF PROBATE
Corbett Hutchins