

ASSIGNMENT

THIS AGREEMENT Made and entered into this 13<sup>th</sup> day of July, 1960,

by and between CHICAGO AND NORTH WESTERN RAILWAY COMPANY,

(hereinafter called the "Railway Company"), ASSOCIATED SEED GROWERS, INC.

(hereinafter called "Assignor"), and MAGNUS DIVISION OF NATIONAL LEAD COMPANY

(hereinafter called "Assignee"),

WITNESSETH:

WHEREAS under date of September 8, 1954, the Railway Company and the Assignor entered into an agreement covering 1,000 feet of track at Fremont, Nebraska, which track has been constructed and paid for.

which agreement and all of the terms and conditions thereof are by this reference made a part hereof; and

WHEREAS it is the desire of all parties hereto that the Assignee become the successor in interest of the Assignor under said agreement;

NOW, THEREFORE, in consideration of the premises it is hereby mutually agreed:

1. That the Assignee shall succeed to all of the rights and obligations of the Assignor under the said agreement, and shall be constituted the full and complete assignee thereof, subject to all of the terms and conditions in said agreement set forth.

2. The Assignee hereby expressly assumes and agrees to perform and abide by all obligations and conditions on the part of the Assignor to be kept and performed under the said agreement; and the Assignor hereby assigns unto the Assignee and relinquishes in favor of the Assignee all rights therein. The Railway Company hereby expressly consents and agrees to the foregoing assignment on the conditions above set forth.

3. This assignment shall be effective from January 23, 1960 but it is not intended that its execution shall in any way affect the rights or obligations existing between the Assignor and the Railway Company which may have accrued under said agreement prior to said date.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed the day and year first above written.

CHICAGO AND NORTH WESTERN RAILWAY COMPANY,

By [Signature] President.

Attest: [Signature] Assistant Secretary.

ASSOCIATED SEED GROWERS, INC.

By [Signature] President

ATTEST: [Signature] Secretary

MAGNUS DIVISION OF NATIONAL LEAD COMPANY

By [Signature] Vice President

TEST: [Signature] Secretary