

of the Real Estate; there are no encroachments thereon; and there are no existing violations of zoning ordinances or other restrictions applicable to the Real Estate.

There is no judgment of any court of the State of Indiana or of any court of the United States that is or may become a lien on the Real Estate. No petition for bankruptcy has been filed by or against Vendor within the last six months, nor is any petition now pending with respect to Vendor for bankruptcy or insolvency.

The Real Estate is now in possession of **Pilot Travel Centers LLC, a Delaware limited liability company**, as owner and no other person has a right to possession or claims possession of all or any part of the Real Estate. Vendor will deliver possession of the Real Estate to Purchaser immediately upon closing free and clear of any right or claim of any person to the possession of the Real Estate.

Vendor is not acting, directly or indirectly, in any capacity whatsoever for any foreign country or national thereof, and Vendor is a limited liability company duly organized and in good standing under the laws of Delaware, and the person executing this affidavit and the deed on behalf of Vendor is a duly authorized representative of Vendor and has been fully empowered by proper action of the limited liability company thereof, to execute and deliver this affidavit and the deed; and Vendor has full capacity to convey the real estate described herein and all necessary action for the making of such conveyance has been taken and done.

Vendor intends that each of the statements made herein shall be construed as a representation; each of the representations is made for the purpose of inducing Purchaser to purchase the Real Estate; and each of the representations whether construed jointly or severally, is true. Vendor expressly authorizes Purchaser, Purchaser's lender and Chicago Title Insurance Company to rely on such representations.

BY: Pilot Travel Centers LLC, a Delaware limited liability company

Signature: *Mitchell D. Steenrod*
Printed: Mitchell D. Steenrod

APPROVED
HODGES, DOUGHTY & CARSON
DATE: 9/22/03
BY: key

Subscribed and sworn to before me a Notary Public in and for said County and State, this 22nd day of September 2003.

My commission expires:

MY COMMISSION EXPIRES APRIL 10, 2004



Signature: *Sherry L. Blake*
Printed: Sherry L. Blake

EXHIBIT A

Parcel 1:

Being a part of School Lot 6 in the Northwest Quarter of Section 16, Township 36 North, Range 7 West of the Second Principal Meridian, commencing at said Northwest corner then on and along the North line of said Section 16, a distance of 330.00 feet to a point being the Northwest corner of the East Half of School Lot 6 and the true point of beginning for the land herein described; thence South along the West line of the East Half of School Lot 6 a distance of 615.72 feet to a point; thence East with an interior angle of 90 degrees 47 minutes 00 seconds, a distance of 187.00 feet to a point; thence South along a line East of and parallel with the West line of the East Half of said Lot 6, a distance of 249.10 feet to a point where said line would intersect with the North line of Lot 21 of McBride's 1st Addition to East Gary, as shown in Plat Book 11, page 17, in the Office of the Recorder of Lake County, Indiana; thence East on and along said North line of Lot 21 and the extension thereof, a distance of 143.00 feet to a point of intersection with the East line of the aforementioned School Lot 6; thence North on and along the East line of Lot 6, a distance of 860.92 feet to the Northeast corner of Lot 6; thence West along the North line of said Section 16, a distance of 330.00 feet to the point of beginning, Lake County, Indiana;

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL THE FOLLOWING PARCEL OF LAND:

Beginning at a point being the intersection point of the East line of School Lot 6 and the North line of Lot 21 of McBride's 1st Addition extended East, said point also being the Southeast property corner of the above described parcel; thence North on and along the East line of School Lot 6, a distance of 245.20 feet to a point; thence West on and along a line parallel to the North line of Section 16, a distance of 143.00 feet to a point; thence South on and along a line parallel to the West line of the East Half of School Lot 6, a distance of 249.10 feet to a point where said line would intersect with the North line of Lot 21 of McBride's 1st Addition to East Gary, Indiana, as shown in Plat Book 11, page 17 of Lake County, Indiana Recorder's Office; thence East on and along the said North line of Lot 21 and the extension thereof, a distance of 143.00 feet to the point of beginning. Also excepting therefrom the parcel taken for right of way purposes, which parcel was conveyed to the State of Indiana by deed dated October 30, 1989, recorded February 28, 1990 as Document No. 086833.

Parcel 2:

Lots 1 and 2, Block 3, Sexton Addition to East Gary, City of Lake Station, as shown in Plat Book 14, page 17, Lake County, Indiana.

Parcel 3:

Being a part of School Lot 6 in the Northwest Quarter of Section 16, Township 36 North, Range 7 West of the Second Principal Meridian, beginning at a point being the intersection point of the East line of School Lot 6 and the North line of Lot 21 of McBride's 1st Addition extended East, said point also being the Southeast property corner of that certain parcel conveyed by Thomas Smurdon and Yolanda H. Smurdon, husband and wife, by Warranty Deed recorded July 24, 1969 as Document No. 25128; thence North on and along the East line of School Lot 6, a distance of 245.20 feet to a point; thence West on and along a line parallel to the North line of Section 16, a distance of 143.00 feet to a point; thence South on and along a line parallel to the West line of the East Half of School Lot 6, a distance of 249.10 feet to a point where said line would intersect with the North line of Lot 21 of McBride's 1st Addition to East Gary, Indiana as shown in Plat Book 11, page 17, of the Lake County, Indiana Recorder's Office; thence East on and along the said North line of Lot 21 and the extension thereof, a distance of 143.00 feet to the point of beginning, Lake County, Indiana.