

discretion it should so elect, to require Lessee to remove any of said improvements constructed by it so as to return the demised premises to the condition that may be required under the provisions of the Head Lease to exist at the time of its surrender or expiration. It is further understood and agreed that all equipment, signs, advertising devices, floodlights and other trade fixtures installed under the authority of Lessor herein granted shall always be and remain the personal property of Lessee and may be removed by Lessee at any time.

X. Lessee covenants that it has fully satisfied itself as to the title to the demised premises and of the right of the Lessor to enter into this Sublease and accepts the demised premises without warranty on the part of Lessor as to title <sup>its</sup> or/right to enter into this Sublease. Lessee further acknowledges that it is now in actual possession of the demised premises with the consent and approval of Lessor. Mention is made of the fact that the Head Lease was formerly held by the Lessee under this Sublease and was assigned by it to the Lessor in this Sublease.

XI. Lessor covenants and agrees that Lessee, its successors and assigns, upon payment of the rent and performance of the covenants herein contained shall and may peaceably and quietly have, hold and enjoy the demised premises during the term hereof so far as Lessor is concerned. Lessee shall have the burden of defending its possession of the demised premises against any third parties without cost or expense to Lessor herein.

XII. In the event of any change in grade of any streets, alleys or highways abutting the demised premises, or the condemnation of the whole or any part of the demised premises which shall render the demised premises or such portion thereof as shall remain after such condemnation unsuitable for the purpose of a drive-in gasoline filling and service station, Lessee may, subject to the condition and requirement set out below, cancel this Sublease by giving written notice to the Lessor, in

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