

permitted by law, and the right to demand the payment of any such excess shall be and hereby is waived, and this provision shall control any other provision of this Indenture and the Bonds.

SECTION 11.7. Counterparts. This Indenture may be executed in any number of counterparts and each thereof shall be deemed to be an original; and all such counterparts shall constitute but one and the same instrument.

SECTION 11.8. Headings. The headings of the various Articles, Sections and Schedules and Annexes herein have been inserted for convenient reference only and shall not to any extent have the effect of modifying or amending the express terms and provisions of this Indenture.

SECTION 11.9. Governing Law. Except to the extent that the laws of the particular jurisdiction in which all or part of the Trust Estate is located govern the rights of the Trustee to enforce the remedies herein set forth against the portion of the Trust Estate located in such jurisdiction, this Indenture and the Bonds issued hereunder are governed by the internal laws of the State of Tennessee.

SECTION 11.10. Execution. Although this Indenture is dated for convenience as of September 1, 1977 the actual date or dates of execution hereof by the parties hereto is or are, respectively, the date or dates stated in the acknowledgments hereto annexed.

ARTICLE XII

Incorporated Schedules and Annexes

Schedule A and Annexes I and II referred to in this Indenture are attached hereto and hereby made a part of this Indenture.

IN WITNESS WHEREOF, Krystal Real Estate Co. II, has caused this Indenture to be signed in its corporate name by its President and its corporate seal to be hereunto affixed and attested by its Secretary and American National Bank and Trust Company of Chattanooga, in token of its acceptance of the trusts created hereunder, has caused this Indenture to be signed in its corporate name by one of its Vice Presidents or Assistant Vice Presidents and its corporate seal to be

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