

covenants and agrees that all the agreements, covenants, conditions, uses, trusts, terms and provisions contained in the Original Indenture shall be applicable to the Properties hereinbefore described and in which a security interest has been created and which have been assigned, granted, pledged, mortgaged, transferred and conveyed to the Trustee, and shall be applicable to the estate, rights, obligations and duties of the Company, the Trustee and the registered owners of the Bonds, and to the Trustee and its successors and assigns, and that the Properties hereinbefore described shall be a part of the Trust Estate provided for in the Indenture, all in the same manner and with the same effect as if the Properties hereinbefore described had been described in the Original Indenture and had a security interest therein been granted and conveyed to the Trustee as part of the Property in which a security interest was granted and conveyed pursuant to the granting clauses of the Original Indenture.

The recitals and statements contained in this Supplemental Indenture shall be taken as statements by the Company alone, and shall not be considered as made by, or as imposing any obligation or liability upon, the Trustee.

Although this Supplemental Indenture is dated for convenience as of February 15, 1978 the actual date or dates of execution hereof by the parties hereto is or are, respectively, the date or dates stated in the acknowledgements hereto annexed.

IN WITNESS WHEREOF, Krystal Real Estate Co. II, has caused this Supplemental Indenture to be signed in its corporate name by its Vice 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 Supplemental Indenture to be signed in its corporate name by one of its Vice Presidents or Assistant Vice Presidents and its corporate seal to be hereunto affixed and attested by one of its Trust Officers, all as of the day and year first above written.

KRYSTAL REAL ESTATE CO., II

by

/s/ Joe Fink
Vice President

Attest:

/s/ Camden B. Searce
Secretary

[SEAL]

RECORDED

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