Cook County, Illinois

#### RELEASE OF

COLLATERAL ASSIGNMENT OF

#### **RIGHTS IN LEASE**

Relating to Premises in: Cook County, Illinois

Lease Recorded at Doc#: 0716434110

Collateral Assignment of Rights in Lease Recorded at Doc#: 0720805114

DATED: As of August 2012

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Orange

This instrument was prepared by and after recording should be returned to:

Virginia M. McGuffey, Esq. King & Spalding LLP 1180 Peachtree Street Atlanta, Georgia 30309

Store Number: 4293

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# **UNOFFICIAL COPY**

# RELEASE OF COLLATERAL ASSIGNMENT OF RIGHTS IN LEASE

WHEREAS, that certain Collateral Assignment of Rights in Lease ("Collateral Assignment") recorded on July 27, 2007 as Document Number 0720805114 in the office of the Cook County, Illinois Recorder with respect to the Lease of the property described on Exhibit A, attached hereto, was executed by HEARTLAND ILLINOIS FOOD CORP., a Delaware corporation ("Assignor"), in favor of ING CAPITAL LLC, having an address of ING Capital LLC, 1325 Avenue of the Americas, New York, New York 10019, acting in its capacity as Administrative Agent pursuant to the Credit Agreement described in the Collateral Assignment (in such agency capacity, together with its successors, the "Agent") for the Lenders (as defined in the Credit Agreement) to secure the Secured Obligations as defined in the Collateral Assignment. Capitalized terms used herein shall have the meanings given to such terms in the Collateral Assignment.

NOW, THEREFORE, for and in consideration of the PAYMENT IN FULL of the Secured Obligations secured by the Collateral Assignment, the Agent has RELEASED and DISCHARGED, and by these presents hereby RELEASES and DISCHARGES, its rights in the Lease and the other rights granted unter the Collateral Assignment with respect to the Lease.

[signature page follows]

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IN WITNESS WHEREOF, this Release of Collateral Assignment of Rights in Lease has been duly executed effective as of the day and year first above written.

**Administrative Agent:** 

ING CAPITAL LLC,

a Delaware limited liability company

Name: Marilyn Densel Fulton

Title: Managing Director

**ACKNOWLEDGMENT** 

STATE OF NEW YORK

SS

COUNTY OF NEW YORK )

On August 1, 2012, before me, the undersigned, a Notary Public in and for said State personally appeared Marilyn Densel Fulton known to me to be the Managing Director of ING Capital LLC, a Delaware limited liability company, and acknowledged to me that such individual executed the within instrument on behalf of said limited liability company.

WITNESS my hand and official seal.

TAMMY MILATOS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MI6139869
Qualified in Putnam County
Certificate Filed in New York County
My Commission Expires January 17, 2014

Notary Public in and for said County and State

[SEAL]

[SIGNATURE PAGE TO RELEASE - RESTAURANT NO. 4293 - FIRST LIEN]

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#### **EXHIBIT A**

Legal Description

Burger King Restaurant #4293

Property of Cook County Clerk's Office

# **UNOFFICIAL COPY**

#### EXHIBIT "A"

Legal Description

Lots 16 to 25, both inclusive in Block 17 in the resubdivision of Lots 1 to 24, inclusive, Block 17, Lots 1 to 21 both inclusive in Block 9, Lots 1 to 21 inclusive in Block 8, all of Block 19 in GRANT LAND ASSOCIATION, resubdivision of Section 21, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

$$P/N # > 16-21-432-015-0000$$
 $16-21-432-016-0000$ 
 $16-21-432-017-0000$ 
 $16-21-432-019-0000$ 
 $16-21-432-020-0000$ 
 $16-21-432-021-0000$ 
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