Cook County, Illinois

# COLLATERAL ASSIGNMENT OF

#### **RIGHTS IN LEASE**

Relating to Premises in: Cook County, Illinois Lease Recorded at Doc#: 0731839181 Collateral Assignment of Rights in Lease Recorded at Doc#: 0734826082

DATED: As of August 2 2012

Tort's Office Second Lien

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: 1217 315512- R

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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 December 14, 2007 as Document Number 0734826082 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 (ir. 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 [signature page follows] Lease and the other rights granted under the Collateral Assignment with respect to the Lease.

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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 und assigned, a Notary Public in and for said State personally appeared Marilyn Densel Fulton know 1 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

Getificate Filed in New York County

My Commission Expires January 17, 20

Notary Public in and for said County and State

[SEAL]

[SIGNATURE PAGE TO RELEASE - RESTAURANT NO. 1217 - SECOND LIEN]

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### **UNOFFICIAL COPY**

### **EXHIBIT A**

Legal Description

Burger King Restaurant #1217

Property of Cook County Clerk's Office

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## **UNOFFICIAL COPY**

#### EXHIBIT "A"

### LEGAL DESCRIPTION

BURGER KING RESTAURANT #1217 18156 South Torrence Avenue Lansing, Illinois 60438

Lots 18 chru 21, inclusive, in Oak Glen Central Subdivision being in the Northeast 1/4 of Section 36, Township 36 North, Range 14 East of the Third Principal Meridian in Lansing, Cook County, Illinois as same was recorded Aurist 5, 1929, as Document No. 472403.

METES AND BOUNDS DESCRIPTION

Commencing at the intersection of the West right-of-way line of Torrence Avenue and the North right-of-way line of 182nd Street;

Thence North 89 degrees 26 minutes 26 seconds West along the North right-of-way line of said 132nd Street 10.00 feet to the point of beginning,

Thence continuing North 89 degrees 20 minutes 26 seconds West along the North right-of-way line of said 1/2nd Street 169.00 feet to the West line of Lots 21, 20, 19 and 18 in Oak Clen Central Subdivision being a subdivision of part of the Northeast 1/4 of Section 36, Township 36 North, Range 14 East of the Third Principal Meridian according to the clar thereof recorded August 5, 1929, as Equipment No. A72403. plat thereof recorded August 5, 1929, as Loument No. 472403;

Thence North O degrees East along said West lin; of Lots 21, 20, 19 and 18, 139.79 feet to the North line of Lot 18 in said Oak Glen Central

Thence South 89 degrees 32 minutes 32 seconds East along the North line of said Lot 18, 179.00 feet to the West right-of-way line of said

Thence South 0 degrees East along the West right-of-way line of said Torrence Avenue 120.00 feet to a parcel of land condemned by the Illinois Department of Transportation as per Court Case #80L151( )Ind recorded January 18, 1980, as Document No. 25327254;

Thence South 25 degrees 40 minutes 05 seconds West along the last described condemned line 22,28 feet to the point of beginning all in

SUBJECT TO any and all reservations, restrictions, easements, rights of way, limitations and conditions of record.

PIN 29-34-207-037 29-36-207-038 29-36-207-039