

Cook County, Illinois

RELEASE OF

COLLATERAL ASSIGNMENT OF

RIGHTS IN LEASE

Relating to Premises in: Cook County, Illinois
Lease Recorded at Doc#: 0731735122
Collateral Assignment of Rights in Lease Recorded at Doc#: 0734826071

DATED: As of August 10, 2012

First 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: 5122

3154817 P

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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 0734826071 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 under the Collateral Assignment with respect to the Lease.

[signature page follows]

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EXHIBIT A

Legal Description

Burger King Restaurant #5122

Property of Cook County Clerk's Office

UNOFFICIAL COPY15901 Kedzie Avenue
Markham, Illinois

PIN: 28-24-101-039-0000

LEGAL DESCRIPTIONPARCEL ONE (LEASED PREMISES)

THAT PART OF OUTLOT "A" IN CANTERBURY GARDENS UNIT NO. 1, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF A LINE 50.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A LINE 50.00 FEET SOUTH OF THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 24, SAID POINT OF COMMENCING ALSO BEING THE INTERSECTION OF THE SOUTH LINE OF 159TH STREET AND THE EAST LINE OF KEDZIE AVENUE, AND ALSO THE NORTHWEST CORNER OF SAID OUTLOT "A"; THENCE SOUTH 0°-12'-33" WEST ALONG THE EAST LINE OF KEDZIE AVENUE, SAID LINE ALSO BEING THE WEST LINE OF SAID OUTLOT "A" A DISTANCE OF 12.00 FEET AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF OUTLOT "A", ALSO BEING THE SOUTH LINE OF 159TH STREET TO THE POINT OF BEGINNING; THENCE NORTH 90° EAST ALONG A LINE BEING 12.00 FEET SOUTH OF "A" MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID OUTLOT "A", ALSO BEING THE SOUTH LINE OF 159TH STREET A DISTANCE OF 244.00 FEET; THENCE SOUTH 0°-12'-33" WEST A DISTANCE OF 123.50 FEET; THENCE NORTH 50° WEST A DISTANCE OF 244.00 FEET TO THE WEST LINE OF SAID OUTLOT "A", ALSO BEING THE EAST LINE OF KEDZIE AVENUE; THENCE NORTH 0°-12'-33" EAST ALONG THE WEST LINE OF SAID OUTLOT "A", ALSO BEING THE EAST LINE OF KEDZIE AVENUE A DISTANCE OF 123.50 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL TWO (SHOPPING CENTER EASEMENTS)

THE ABOVE-DESCRIBED LEASED PREMISES IS A PART OF THE CANTERBURY SHOPPING CENTER (THE "SHOPPING CENTER") WHICH IS MORE PARTICULARLY DESCRIBED ON PAGE 2 OF THIS EXHIBIT "A." THE LEASE GRANTS THE FOLLOWING NON-EXCLUSIVE EASEMENTS WHICH ARE APPURTENANT TO THE LEASED PREMISES, WHICH AFFECT THE SHOPPING CENTER AND WHICH ARE CO-TERMINOUS WITH THE LEASE AND ANY EXTENSIONS THEREOF:

- (a) THE RIGHT AND EASEMENT TO TIE INTO AND USE EXISTING UTILITIES.
- (b) AN EASEMENT FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS TO AND FROM THE LEASED PREMISES TO THE SHOPPING CENTER, OVER, UPON AND ACROSS THE PARKING AREAS, DRIVEWAYS, EXITS AND ENTRANCES OF THE SHOPPING CENTER AS THEY MAY EXIST FROM TIME TO TIME.
- (c) AN EASEMENT FOR VEHICULAR PARKING OVER THE PARKING AREAS OF THE SHOPPING CENTER AS THEY MAY EXIST FROM TIME TO TIME.

LEGAL DESCRIPTION OF CANTERBURY SHOPPING CENTER

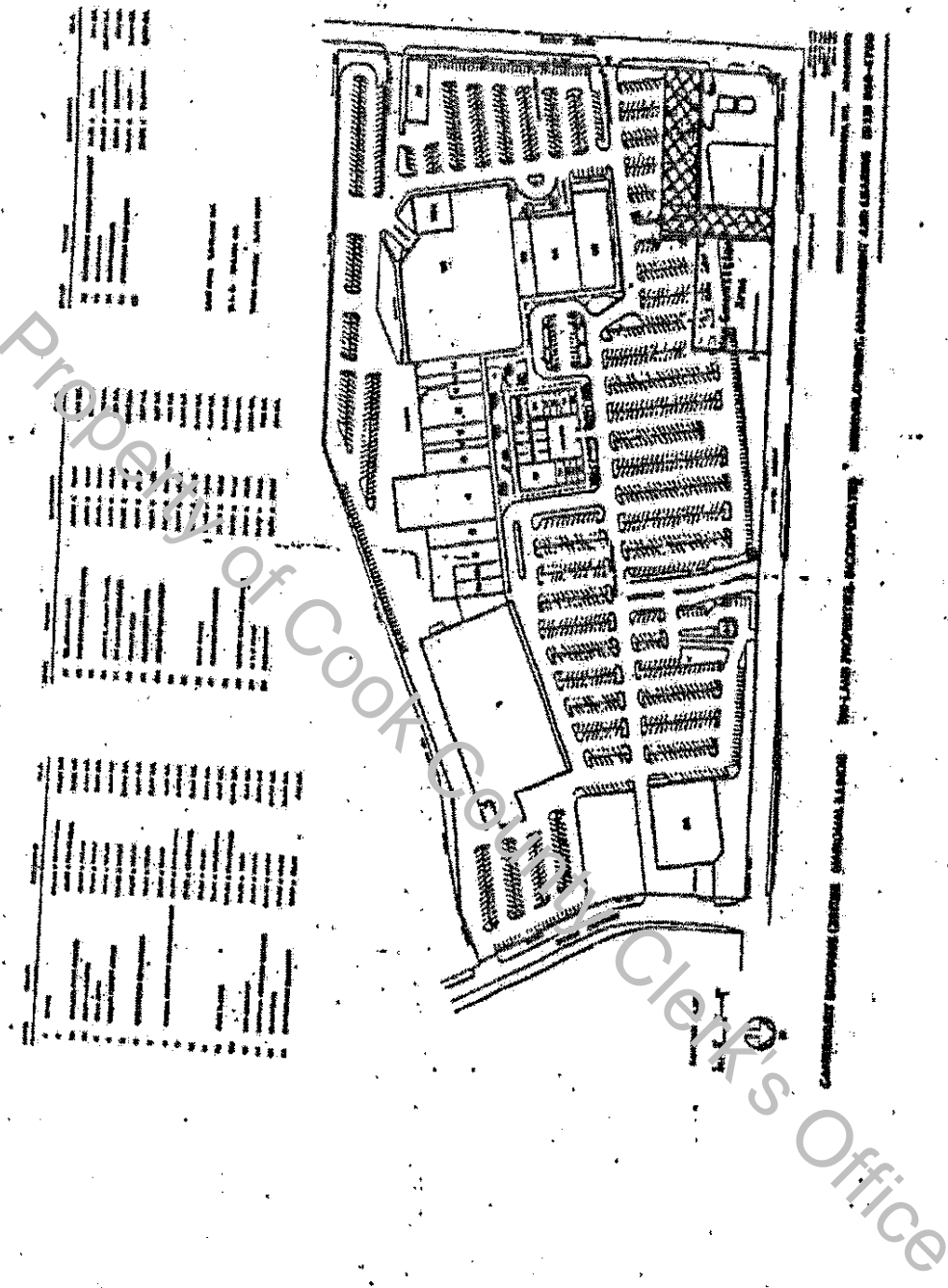
OUT-LOT "A" IN CANTERBURY GARDENS UNIT NO. 1, A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 16, 1935 AS DOCUMENT 16271151, IN COOK COUNTY, ILLINOIS.

PIN: 28 24 101 031 0000
28 24 101 038 0000

Subject to any and all reservations, restrictions, easements, rights-of-way, limitations and conditions of record.

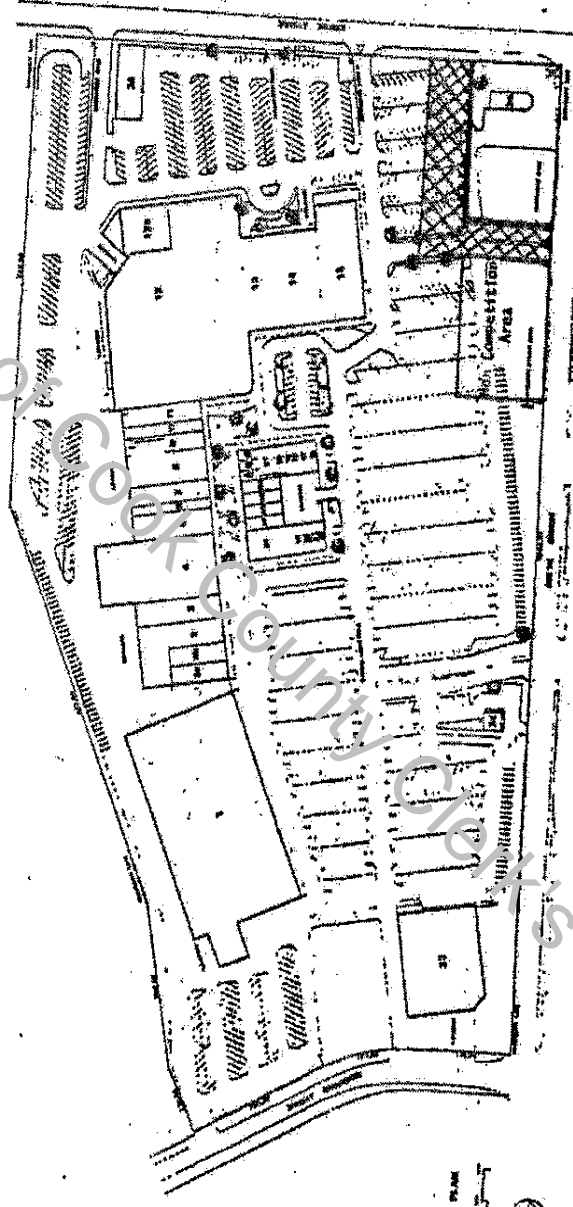
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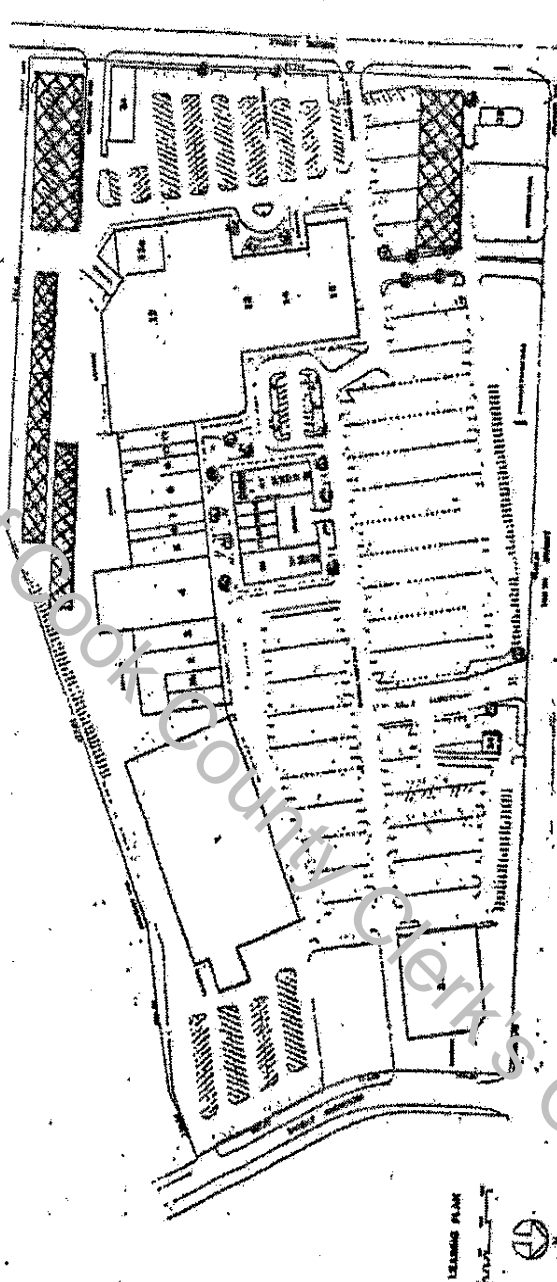
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CANTEBURY SHOPPING CENTER (A/K/A) ELIZABETH TRILAND PROPERTIES, INCORPORATED REDEVELOPMENT, MANAGEMENT, AND LEASING (SIN) 8660-4700
 TRILAND PROPERTIES, INCORPORATED ARCHITECTS
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LEASING PLAN
 1/8" = 1'-0"
 NORTH
 CANTEENARY CENTER MARKHAM BLVD
 TRILAND PROPERTIES, INCORPORATED
 PROPERTY MANAGER, ASSOCIATION, INC. ALABAMA
 REDEVELOPMENT, MANAGEMENT AND LEASING (312) 960-8700