

Cook County, Illinois

RELEASE OF

COLLATERAL ASSIGNMENT OF

RIGHTS IN LEASE

Relating to Premises in: Cook County, Illinois
Lease Recorded at Doc#: 0716434106
Collateral Assignment of Rights in Lease Recorded at Doc#: 0720805123

DATED: As of August 12, 2012

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: 7623

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 0720805123 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]

UNOFFICIAL COPY

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

By: Marilyn Densel Fulton
Name: Marilyn Densel Fulton
Title: Managing Director

Property of Cook County Clerk's Office

ACKNOWLEDGMENT

STATE OF NEW YORK)
)
COUNTY OF NEW YORK) SS

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.

ARACELIS LORA
Notary Public, State of New York
No. 01LO6050740
Qualified in New York County
Commission Expires March 9, 2015

Aracelis Lora

Notary Public in and for
said County and State

[SEAL]

[SIGNATURE PAGE TO RELEASE - RESTAURANT NO. 7623 - SECOND LIEN]

UNOFFICIAL COPY

EXHIBIT A

Legal Description

Burger King Restaurant #7623

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT "A"

LEGAL DESCRIPTION

Burger King® Restaurant #7623
1701 West 95 Street
Chicago, Illinois 60643

LOTS 48 AND 49 IN BLOCK 5 IN HILLIARD AND DOBBIN'S FIRST ADDITION TO WASHINGTON HEIGHTS, BEING A SUBDIVISION OF THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 7, AND THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 37 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT FROM SAID LAND THAT PART THEREOF LYING NORTH OF A LINE 54 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 7, IN COOK COUNTY, ILLINOIS.

PIN # 25-07-212-036-0000
25-07-212-037-0000
25-07-212-002-0000