

Cook County, Illinois

RELEASE OF

COLLATERAL ASSIGNMENT OF

RIGHTS IN LEASE

Relating to Premises in: Cook County, Illinois
Lease Recorded at Doc. No. 96763631
Collateral Assignment of Rights in Lease Recorded at Doc#: 0726335163

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: 10366

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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 September 20, 2007 as Document Number 0726335163 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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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: 
Name: Marilyn Densel Fulton
Title: Managing Director

Property of Cook County Clerk's Office

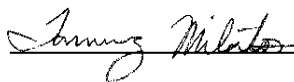
ACKNOWLEDGMENT

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. 01M16139869
Qualified in Putnam County
Certificate Filed in New York County
My Commission Expires January 17, 20 14



Notary Public in and for
said County and State

[SEAL]

[SIGNATURE PAGE TO RELEASE - RESTAURANT NO. 10366 - FIRST LIEN]

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EXHIBIT A

Legal Description

Burger King Restaurant #10366

Property of Cook County Clerk's Office

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EXHIBIT "A"

Parcel 1:

Lots 4 and 5 in Jenni's Resubdivision of part of Lot B in the subdivision by the Circuit Court Commissioners in Partition of that part of the Northeast 1/4 lying South of Illinois and Michigan Canal Reserve of Section 3, Township 38 North, Range 13 East of the Third Principal Meridian, except that part of said Lots 4 and 5 in Jenni's Resubdivision described as follows:

Beginning at the Northwest corner of Lot 4; thence North 89 degrees 47 minutes 49 seconds East along the North line of said Lot, 35.00 feet; thence South 00 degrees 08 minutes 14 seconds East along the East line of the West 35.00 feet of said Lot, 129.43 feet; thence South 75 degrees 12 minutes 15 seconds East, 67.27 feet to a point on the South line of Lot 4, said point being 100.00 feet East of the Southwest Corner thereof; thence South 00 degrees 07 minutes 12 seconds East along the East line of the West 100.00 feet of the aforesaid Lot 4, a distance of 150.16 feet to the point of intersection with the South line of said Lot; thence South 89 degrees 47 minutes 49 seconds West along said South line, 100.00 feet to the Southwest corner of Lots; thence North 00 degrees 03 minutes 12 seconds West along the West line of said Lot, a distance of 150.16 feet to the Northwest corner thereof; thence North 00 degrees 08 minutes 14 seconds West along the West line of Lot 4, a distance of 146.84 feet to the hereinabove described point of beginning, in Cook County, Illinois.

Parcel 2:

Easement for ingress and egress as created by grant dated July 18, 1996 and recorded October 3, 1996 as document 96755485 made by Waldorf Corp., to Polygon Real Estate L.L.C over the following land:

That part of Lot B in the subdivision by the Circuit Court Commissioners in partition of that part of the Northeast 1/4 lying South of Illinois and Michigan Canal Reserve of Section 3, Township 38 North, Range 13, East of the Third Principal Meridian according to part of said subdivision recorded in the office of the Recorder of Cook County Illinois on September 5, 1893, in Book 59 of plats, page 32 as Document number 1924571, bounded and described as follows: Beginning at the Southeast corner of Lot 5 in Jenni's Resubdivision of part of Lot B in the subdivision by the Circuit Court Commissioners in partition of that part of the Northeast 1/4 lying South of Illinois and Michigan Canal Reserve of Section 3, Township 38 North, Range 13, East of the Third Principal Meridian; thence South, along the West line of South Pulaski Road, 33.00 feet; thence West, along a line drawn 33.00 feet South of and parallel with the South line of the aforesaid Lot 5 in

Jenni's Resubdivision, 168.27 feet to a point of intersection with the Southerly extension of the East line of the West 100.00 feet of said Lot 5; thence North, along said Southerly extension, 33.00 feet to the point of intersection with the South line of aforesaid Lot 5 in Jenni's Resubdivision; thence East, along said South line, 168.22 feet to the hereinabove described point of beginning, in Cook County, Illinois.

Parcel 3:

Easement for ingress and egress as granted by deed dated July 18, 1996 and recorded on October 3, 1996 as document number 96755486 made by Waldorf Corp., to Polygon Real Estate L.L.C over the following land:

The North 129.43 feet of the West 35.00 feet of Lot 4 in Jenni's Resubdivision of part of Lot B in the subdivision by the Circuit Court Commissioners in partition of that part of the Northeast 1/4 lying South of Illinois and Michigan Canal Reserve of Section 3, Township 38 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois.

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