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STATE OF INDIANA
LAKE COUNTY
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Virginia M. McGuffey, Esq.
King & Spalding LLP
1180 Peachtree Street
Atlanta, Georgia 30309

MICHAEL J. SHAW
RECORDER

RELEASE OF
COLLATERAL ASSIGNMENT OF
RIGHTS IN LEASE

Relating to Premises in: Lake County, Indiana
Lease Recorded at Doc. No. 2011 018819
Collateral Assignment of Rights in Lease Recorded at 2012 013883

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DATED: As of August 16, 2012
Store 720
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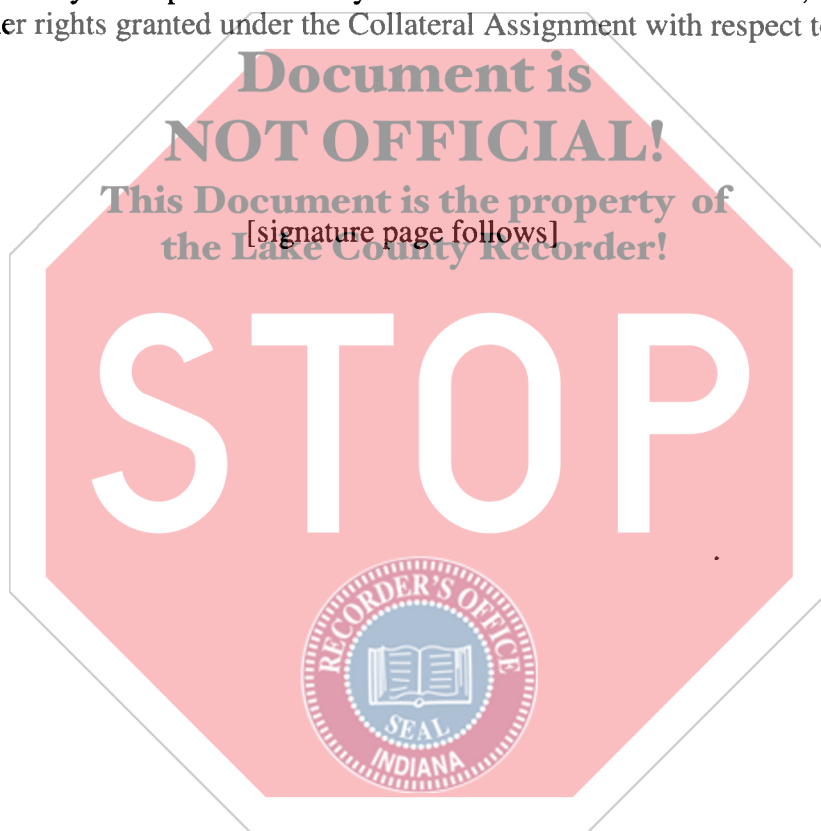
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**RELEASE OF
COLLATERAL ASSIGNMENT OF RIGHTS IN LEASE**

WHEREAS, that certain Collateral Assignment of Rights in Lease (“**Collateral Assignment**”) recorded on February 27, 2012 as Document Number 2012 013883 in the office of the Lake County, Indiana Recorder with respect to the Lease of the property described on Exhibit A, attached hereto, was executed by **HEARTLAND MIDWEST LLC**, a Delaware limited liability company (“**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.



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

ACKNOWLEDGMENT

STATE OF NEW YORK)
)
COUNTY OF NEW YORK)

SS

Before me, a Notary Public in and for said County and State, personally appeared Marilyn Densel Fulton, the Managing Director of ING Capital LLC, a Delaware limited liability company, who having been duly sworn acknowledged the execution of the foregoing for and on behalf of said limited liability company.

Witness my hand and Notarial Seal this 1st day of August, 2012.

Aracelis Lora

My Commission Expires: Notary Public Residing in New York County, New York

(Printed Signature)

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



[SIGNATURE PAGE TO COLLATERAL ASSIGNMENT OF LEASE - RESTAURANT
NO. 720 - FIRST LIEN]

EXHIBIT A

Legal Description

Burger King Store 720

(See attached page(s))



EXHIBIT A

Legal Description

Burger King Restaurant # 720

LEGAL DESCRIPTION

PARCEL I:

A part of the North half of the Northwest quarter of Section 28, Township 36 North, Range 7 West of the Second Principal Meridian, in the City of Hobart, Hobart Township, Lake County, Indiana, described as follows: Beginning at a point 380 feet South and 35 feet East of the West line of said Northwest quarter thence South for a distance of 184.87 feet, more or less, to the existing stone drive way of the Doctor's Clinic; thence East on a line parallel to and 564.87 feet South of the North line of said Section 28 for a distance of 50 feet; thence South on a line parallel to and 85 feet East of the West line of said Northwest quarter for a distance of 10 feet; thence East on a line parallel to and 574.87 feet South of the North line of said Section 28 for a distance of 152.7 feet; thence North on a line parallel to and 237.7 feet East of the West line of said Northwest quarter for a distance of 194.87 feet; thence West on a line parallel to and 380 feet South of the North line of said Section 28, for a distance of 202.70 feet to the place of beginning.

PARCEL II:

A part of the North half of the Northwest quarter of Section 28, Township 36 North, Range 7 West of the 2nd Principal Meridian, in the City of Hobart, Hobart Township, Lake County, Indiana, described as follows: Beginning at a point 380 feet South and 237.7 feet East of the Northwest corner of said Northwest Quarter; thence South, a distance of 194.87 feet on a line parallel to and 237.7 feet East of the West line of said Northwest Quarter; thence East a distance of 114.40 feet on a line parallel to the North line of said Section 28; thence North a distance of 194.87 feet on a line parallel to and 352.1 feet East of the West line of said Northwest Quarter; thence West a distance of 114.4 feet to the place of beginning.

Said parcel One and Parcel Two may also be legally described as: Part of the North half of the Northwest Quarter of Section 28, Township 36 North, Range 7 West of the Second P.M., described as follows: Beginning at a point 380 feet South and 35 feet East of the Northwest corner of said Northwest quarter; thence South on a line parallel to and 35 feet East of the West line of said Northwest Quarter for a distance of 184.87 feet, more or less, to the existing stone drive way of the Markle Medical Clinic property; thence East on a line parallel to and 564.87 feet South of the North line of said Section 28, for a distance of 50 feet; thence South on a line parallel to and 85 feet East of the West line of said Northwest Quarter for a distance of 10 feet; thence East on a line parallel to and 574.87 feet South of the North line of said Section 28 for a distance of 267.1 feet; thence North on a line parallel to and 352.1 feet East of the West line of said Northwest quarter for a distance of 194.87 feet; thence West on a line to and 380 feet South of the North line of said Section 28, for a distance of 317.1 feet to the point of beginning.

CONTINUED



LEGAL DESCRIPTION
(continued)

PARCEL III: (Ingress and Egress Easement)

Non-exclusive easement for ingress and egress to and from State Route 51, created by Grant of Easement recorded May 31, 1985 as Document No. 805300, across, along and upon the surface of the following described real estate: Beginning at a point 564.87 feet South and 35 feet East of the Northwest corner of said Section 28; thence South parallel to the West line of said Section 28, a distance of 20.13 feet, more or less, to a point 584.95 feet South of the North line of Section 28; thence East parallel to the North line of said Section 28, a distance of 348.2 feet; thence North a distance of 10.13 feet to a point along a line being the West line of a metal warehouse building extended South; thence West parallel to the North line of Section 28, a distance of 298.2 feet to a point; thence North parallel to the West line of Section 28, a distance of 10 feet to a point; thence West parallel to the North line of said Section 28, a distance of 50 feet to the point of beginning.

PARCEL IV: Non-exclusive easement for ingress and egress to and from Route 6 (Ridge Road) created by Grant of Easement recorded May 31, 1985 as Document No. 805300, over, across and along the following described real estate:

(1) Part of the North 1/2 of the Northwest 1/4 of Section 28, Township 36 North, Range 7 West of the 2nd Principal Meridian, in Lake County, Indiana, described as follows: Beginning at a point 40 feet South and 35 feet East of the Northwest corner of said Section 28; thence South parallel to the West line of said Section 28, a distance of 110 feet; thence East parallel to the North line of said Section 28, a distance of 82 feet; thence South parallel to the West line of said Section 28, a distance of 82 feet; thence West parallel to the North line of said Section 28, a distance of 82 feet; thence South parallel to the West line of said Section 28, a distance of 98 feet; thence East parallel to the North line of said Section 28, a distance of 585.43 feet; thence North 290 feet, more or less, to a point 40 feet South of the North line of said Section 28, and 593.2 feet East of the point of beginning; thence West 593.2 feet to the place of beginning.

STOP



(CONTINUED)

LEGAL DESCRIPTION
(continued)

(2) Part of the Northwest 1/4 of the Northwest 1/4 of Section 28, Township 36 North, Range 7 West of the 2nd Principal Meridian, in Lake County, Indiana, described as follows: Beginning at a point 380 feet South and 160 feet East of the Northwest corner of said Section 28; thence East parallel to the North line of said Section 28, a distance of 192.1 feet; thence South parallel to the West line of said Section 28, a distance of 194.87 feet; thence West parallel to the North line of said Section 28, a distance of 267.1 feet; thence North parallel to the West line of said Section 28, a distance of 10 feet; thence West parallel to the North line of said Section 28, a distance of 50 feet to a point 35 feet East of the West line of said Section 28; thence south parallel to the West line of said Section 28, a distance of 20.13 feet, more or less, to a point 585 feet South of the North line of said Section 28; thence East parallel to the North line of said Section 28, a distance of 348.2 feet; thence North along the West line of a metal warehouse building and said building line extended South a distance of 245 feet, more or less, to the Northwest corner of said warehouse; thence East parallel to the North line of said Section 28 and along the North line of said building a distance of 302 feet; thence North a right angles 9.8 feet, more or less, to a point 330 feet South of the North line of said Section 28; thence West parallel to the North line of said Section 28, a distance of 532.4 feet, more or less, to a point 160 feet East of the West line of said Section 28; thence South parallel to the West line of said Section 28, a distance of 50 feet to the place of beginning.

END

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