

# M

# 395

**Particulars of a mortgage or charge**

Pursuant to section 395 of the Companies Act 1985

Please do not  
write in this  
marginPlease complete  
legibly,  
preferably in  
black type or  
bold block  
lettering

To the Registrar of Companies

For Official Use

Company Number

(5)

835450

Name of company

\*Insert full name  
of company

A. JARDINE &amp; SONS LIMITED

Date of creation of the charge

15 NOVEMBER 2002

Description of the instrument (if any) creating or evidencing the charge (note 2)

Legal charge containing fixed and floating charge

Amount secured by the mortgage or charge

All sums of money owed and all liabilities or obligations to be carried out to **BoS** at any time and from time to time by any and every person who has agreed to repay the debt to **BoS**.

Names and addresses of the mortgagees or persons entitled to the charge

The Governor and Company of the Bank of Scotland ("**BoS**"), 41/51 Grey Street,  
Newcastle upon Tyne NE1 6EE

Presenter's name, address and reference  
(if any):

Robert Muckle Solicitors  
Norham House  
12 New Bridge Street West  
Newcastle upon Tyne NE1 8AS

Ref: STM/KSM

Time critical reference

For Official Use  
Mortgage section

Post Room



1. Legal mortgage over the freehold property known as land at White Lund Industrial Estate, Morecambe described in the conveyance dated 1 November 1972 between (1) the Mayor Alderman and Burgesses of Morecambe and Heysham, (2) the Mayor Alderman and Citizens of the City of Lancaster and (3) A. Jardine & Sons Limited ("the Property").
2. A fixed charge over all buildings and other structures on, and items fixed to, the Property.
3. A fixed charge over any goodwill relating to the Property or the business or undertaking conducted at the Property.
4. A fixed charge over all plant, machinery and other items affixed to and forming part of the Property on or at any time after the date of the charge.
5. A charge by way of assignment of all rents, profits, income, fees and other sums payable by lessees or licensees of the Property.
6. A fixed charge over the proceeds of any claim made under any insurance policy relating to the Property.
7. A floating charge over all unattached plant, machinery, chattels and goods with the exception of the Excluded Assets now or at any time after the date of this charge on or in or used in connection with the Property or the business or undertaking conducted at the Property.

The charge also contains covenants by and restrictions on the Company which are set out in the attached Schedule which protect and further define the charges and must be read as one with the charges.

Please do not write in this margin

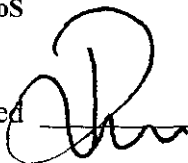
Please complete legibly, preferably in black bold type or bold block lettering

Particulars as to commission allowance or discount (note 3)

N/A

For BoS

Signed



Date 20 November 2002

#### Notes

1. The original instrument (if any) creating or evidencing the charge, together with these prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of creation of the charge (section 395). If the property is situated and the charge was created outside the United Kingdom delivery to the Registrar must be effected within 21 days after the date on which the instrument could in due course of post, and if dispatched with due diligence, have been received in the United Kingdom (section 398). A copy of the instrument creating the charge will be accepted where the property charged is situated and the charge was created outside the United Kingdom (section 398) and in such cases the copy must be verified to be a correct copy either by the company or by the person who has delivered or sent the copy to the registrar. The verification must be signed by or on behalf of the person giving the verification and where this is given by a body corporate it must be signed by an officer of that body. A verified copy will also be accepted where section 398(4) applies (property situate in Scotland or Northern Ireland) and Form No. 398 is submitted
2. A description of the instrument, e.g. "Trust Deed", "Debenture", "Mortgage" or "Legal charge", etc., as the case may be, should be given.
3. In this section there should be inserted the amount or rate per cent. of the commission, allowance or discount (if any) paid or made either directly or indirectly by the company to any person in consideration of his;
  - (a) subscribing or agreeing to subscribe, whether absolutely or conditionally, or
  - (b) procuring or agreeing to procure subscriptions, whether absolute or conditional, for any of the debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered.
4. If any of the spaces in this form provide insufficient space the particulars must be entered on the prescribed continuation sheet

Particulars of a mortgage or charge

Name of Company A. Jardine & Sons Limited

Number of Company 835450

#### **SCHEDULE OF CHARGES, COVENANTS AND RESTRICTIONS**

**contained in a legal charge in favour of BoS dated 15 November 2002**

##### **Restriction on charges and disposals**

The Company will not, without the previous written consent of **BoS**:

1. create or attempt to create or allow to be created or to exist (whether by a specific agreement imposed by rule of law or Act of Parliament) any charge or lien of any kind over the Property; or
2. sell, transfer, lease or otherwise dispose of all or any part of the Property, or agree to do so, whether at law or in equity.

**"Excluded Assets"** means all of the assets charged by way of security by the Borrower in favour of Lloyds UDT Limited and Yorkshire Bank plc pursuant to the Master Agreements;

**"Lloyds Master Agreement"** means the master agreement and charge dated 25 July 2002 between the Company and Lloyds UDT Limited;

**"Master Agreements"** means the Lloyds Master Agreement and the Yorkshire Master Agreement;

**"Yorkshire Master Agreement"** means the master agreement and charge dated 22 February 2002 between the Company and Yorkshire Bank plc.

FILE COPY



## CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

Pursuant to section 401(2) of the Companies Act 1985

COMPANY No. 00835450

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL CHARGE DATED THE 15th NOVEMBER 2002 AND CREATED BY A. JARDINE & SONS LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 22nd NOVEMBER 2002.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 26th NOVEMBER 2002.



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES



*Companies House*

— for the record —

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