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Particulars of a mortgage or charge

395

Please do not
write in
this margin

Pursuant to section 395 of the Companies Act 1985

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

* insert full name
of company -

To the Registrar of Companies
(Address overleaf - Note 5)

For official use

Company number

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2725146

Name of company

* J SAINSBURY (BRAEHEAD) INVESTMENTS LIMITED (herein referred to as "the Company")

Date of creation of the charge

26th April 1996

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

BOND AND FLOATING CHARGE

Amount secured by the mortgage or charge

1. Obligations of the Company undertaken in terms of a Development Agreement between Marks and Spencer (Braehead) Limited (Reg No. 2722888), the Company and Capital Shopping Centres plc (Reg No. 2893329) of the first part and the Chargee of the second part dated 12th June 1995 as amended by Minute of Variation among the same parties dated 26th April 1996.
2. Obligations of the Company undertaken in terms of a Standard Security by Marks and Spencer (Braehead) Limited and the Company to the Chargee dated 26th April 1996.

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

Marks and Spencer p.l.c. Reg No. 214436) Michael House, Baker Street, London, W1A, 1DN and J Sainsbury plc (Reg No. 185647) Stamford House, Stamford Street, London, SE1 9LL, (herein

together referred to as "the Chargee")

Postcode

Presentor's name address and
reference (if any):

Steedman Ramage WS
6 Alva Street
EDINBURGH
EH2 4QQ

For official Use
Mortgage Section

Post room



Time critical reference

Short particulars of all the property mortgaged or charged

The whole of the property (including uncalled capital) which is now or may from time to time be comprised in the Company's property and undertaking.

Please do not write in this margin

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

Particulars as to commission allowance or discount (note 3)

N/A

Signed



Date

7/5/96

On behalf of ~~[company]~~ [mortgagee/chargee]†

† delete as appropriate

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, eg "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.
- 5 The address of the Registrar of Companies is:-
Companies House, Crown Way, Cardiff CF4 3UZ

FILE COPY



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 02725146

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A BOND AND FLOATING CHARGE DATED THE 26th APRIL 1996 AND CREATED BY BRAEHEAD PARK RETAIL LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY (FORMERLY KNOWN AS J SAINSBURY (BRAEHEAD) INVESTMENTS LIMITED) TO MARKS AND SPENCER p.l.c. AND J SAINSBURY plc IN TERMS OF THE DEVELOPMENT AGREEMENT DATED 12th JUNE 1995 AND THE OBLIGATIONS OF THE COMPANY UNDERTAKEN IN TERMS OF THE STANDARD SECURITY DATED OF EVEN DATE WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 8th MAY 1996.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 10th MAY 1996.

Peter C Protheroe

for the Registrar of Companies

Post
SM
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C O M P A N I E S H O U S E