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COMPANIES FORM No. 395

Particulars of a mortgage or charge

A fee of £10 is payable to Companies House in respect of each register entry for a mortgage or charge.

Pursuant to section 395 of the Companies Act 1985

To the Registrar of Companies
(Address overleaf - Note 6)

Name of company

* The Heritage Pub Company Limited

Date of creation of the charge

17-8-01 (see fax)

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

Legal Charge

Amount secured by the mortgage or charge

All sums of money owed and all liabilities or obligations to be carried out to the Bank at any time and from time to time by the Company whether:

- (i) they arise before or after the Bank has demanded that they are repaid or carried out
- (ii) they are owed or to be carried out immediately or only after a stated event has occurred
- (iii) the Company owes or is to carry them out on its own or jointly with any other persons
- (iv) the Company owes or is to carry out on its own account or as guarantor for other persons

together with interest upon them and expenses relating to them

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

The Governor and Company of the Bank of Scotland of Security Documentation Team, Specialist Functions Unit, Support Services, 1st Floor, 2 Robertson Avenue, Edinburgh

Postcode EH11 1PZ

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

freethcartwright
Norman House
Friar Gate
Derby
DE1 1NU

MM/1038/D2996/24

Time critical reference

For official Use
Mortgage Section

| Post room



PMO
COMPANIES HOUSE
NEW
COMPANIES HOUSE

P691U000

0359
21/10/01

18/08/01

BARC
763874
£10

395

CHFP025

Please do not write in this margin

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

*insert full name of Company

For official use Company number

3004859

Please do not
write in
this margin

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

By way of legal mortgage the freehold property known as The Brockhill Public House Batchley Road Redditch Worcestershire registered at HM Land Registry under Title Number WR49080 ("the Property")

By way of fixed charge all buildings and other structures on and items fixed to the Property, any goodwill relating to the Property or the business or undertaking conducted at the Property, 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

By way of assignment the Rental sums together with the benefit of all rights and remedies of the Company relating to them

By way of fixed charge the proceeds of any claim made under any insurance policy relating to any of the property charged under the Charge

By way of floating charge all unattached plant, machinery, chattels and goods at any time on or in or used in connection with the Property or the business or undertaking conducted at the Property

Particulars as to commission allowance or discount (note 3)

Signed

Date 17th August 2001

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

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payable to
Companies House
in respect of each
register entry for a
mortgage or
charge.
(See Note 5)

† 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 Cheques and Postal Orders are to be made payable to **Companies House**.
- 6 The address of the Registrar of Companies is:-

Companies House, Crown Way, Cardiff CF14 3UZ



**property and
construction**

freethcartwright solicitors

Norman House
Friar Gate
Derby DE1 1NU
United Kingdom

DX 11502 Derby 1

Tel +44 (0)1332 361000
Fax +44 (0)1332 630158
www.freethcartwright.co.uk

For the attention of Mark Buckley
Companies House
DX: 33050
Cardiff

21 August 2001

Our Ref: BAM/1038/D2996/25/ab
Your Ref:

By Fax 02920 380829

Dear Sirs

THE BROCKHILL, REDDITCH

We understand that we have omitted to stipulate the date of creation of the Legal Charge on Form M395. Would you please accept this letter as our confirmation that the relevant date is the 17th August 2001 and we apologize for the omission from the form.

We look forward to hearing from you.

Yours faithfully

freethcartwright

FILE COPY



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 03004859

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL CHARGE DATED THE 17th AUGUST 2001 AND CREATED BY THE HERITAGE PUB COMPANY 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 21st AUGUST 2001.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 22nd AUGUST 2001.

[Handwritten signature]



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES



Companies House

— for the record —