

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

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

For official use

Company number

117

3120091

Name of company

* BCH (HOLDINGS) LIMITED ✓ ("the Company")

* insert full name
of company

Date of creation of the charge

14 DECEMBER 1995

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

Charge over agreement for the sale and purchase of BRYAN CONTRACT HIRE
LIMITED

Amount secured by the mortgage or charge

All monies and liabilities which now are or shall at any time hereafter be due, owing or incurred to the Bank by the Company whether actually or contingently and whether presently or in the future and whether solely or jointly with any other person and whether as principal or surety or in any way whatsoever including (as well after as before any demand made or judgement obtained) interest, discount, commission and other lawful charges and expenses properly incurred computed and compounded from time to time in accordance with the terms agreed between the Company and the Bank relating thereto (if any) and in the absence of any such agreed terms, computed and compounded from time to time according to the then current practice of the Bank (so that interest shall be computed at the rate of 2 per cent per annum over the Bank's Base Rate from time to time ruling).

Q. C.

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

MIDLAND BANK PLC whose registered office is at Poultry, in the City
of London

Postcode EC2P 2BX ("the Bank")

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

EVERSHEDS
Senator House
85 Queen Victoria Street
London EC4V 4JL
REF: NGM

For official Use
Mortgage Section

Post room



KLO *KQGEFHVV* 959
COMPANIES HOUSE 03/01/96

Time critical reference

Short particulars of all the property mortgaged or charged

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bold block lettering

- (1) The Company's right, title and interest in and to an agreement of even date herewith and made between Bryan Brothers Holdings Limited ("Holdings")(1) and the Company (2) for the sale and purchase of the whole of the issued share capital of Bryan Contract Hire Limited together with all agreements and undertakings made ancillary or pursuant thereto (together "the Agreement");
- (2) All sums which shall from time to time become payable to the Company by Holdings under the Agreement or any provision thereof; and
- (3) The Company's rights arising out of or in connection with any breach or default by Holdings of or under any of the terms, warranties, representations, undertakings, covenants or conditions of the Agreement.

See Continuation Sheet attached

Particulars as to commission allowance or discount (note 3)

Signed Eversheds

Date 3rd January 1996

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

**Particulars of a mortgage or charge
(continued)**

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Continuation sheet No 1
to Form No 395 and 410 (Scot)

Please complete
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Company number

3120091

Name of company

BCH (HOLDINGS) LIMITED ("the Company")

Limited*

*delete if
inappropriate

Description of the instrument creating or evidencing the mortgage or charge (continued) (note 2)

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**Please do not
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Names, addresses and descriptions of the mortgagees or persons entitled to the charge (continued)

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- (4) The Company shall not without the prior written consent of the Bank further assign or create any encumbrance over the property charged or mortgaged as listed in paragraphs (1), (2) and (3) above or any part thereof.

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FILE COPY



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 03120091

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A CHARGE OVER AGREEMENT DATED THE 14th DECEMBER 1995 AND CREATED BY BCH (HOLDINGS) LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO MIDLAND BANK PLC ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 3rd JANUARY 1996.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 5th JANUARY 1996.

JENNIFER V TONKS
for the Registrar of Companies

post
5/1
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C O M P A N I E S H O U S E

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