

M

COMPANIES FORM No. 395

Particulars of a mortgage or charge

395

Please do not
write in
this margin

Pursuant to section 395 of the Companies Act 1985

CHA 116

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

*insert full name
of company

To the Registrar of Companies

For official use

Company number

Name of company

* TERRACE HILL NORTH EAST LIMITED

Date of creation of the charge

30 May 2001

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

Assignment of Building Contract

Amount secured by the mortgage or charge

All obligations and liabilities of the Company to AIB Group (UK) p.l.c contained in a collateral deed dated 30 May 2001 made between AIB Group (UK) p.l.c (1) The Company (2) Stockton & Billingham College Developments Limited (3) and Shepherd Construction Limited (4) ("the Obligations")

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

AIB Group (UK) p.l.c whose registered office is at 4 Queen's Square, Belfast, BT1 3DJ

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

Dickinson Dees
St Ann's Wharf
112 Quayside
Newcastle upon Tyne
NE99 1SB

Ref : NFN

Time critical reference

For official use
Mortgage Section

Post room



A07
COMPANIES HOUSE

0880
07/06/01

As a continuing security for the discharge and payment of the Obligations and with full title guarantee, the Company assigns to AIB Group (UK) p.l.c by way of first ranking security all the Company's right, title, benefit and interest (present and future) in:-

1. the building contract for the carrying out of works in connection with the development of a new education and research site for Stockton & Billingham College of Further Education at University Boulevard, Teesside entered into between the Company and Shepherd Construction Limited ("the Building Contract");
2. the parent company guarantee dated 22 May 2001 executed by Shepherd Building Group Limited (CN 653663); and

Please see continuation sheet.

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)

Nil

Signed

D. Dawson Deen

Date 6/6/01

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.

3. the performance bond executed in favour of the Company by Shepherd Construction Limited dated 30 May 2001;

together with all rights for the Company to sue or take action in respect of any breach of the obligations contained in such documents.

NOTE

The Assignment contains a restriction that the Company will not (without the prior written consent of AIB Group (UK) p.l.c) create or permit to arise or continue any mortgage, charge (fixed or floating) pledge lien or other security interest affecting its interest in the Building Contract or increase or extend any liability of the Company secured on the Building Contract.

95

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

Please do not
write in this
binding margin

Names, addresses and descriptions of the mortgagees or persons entitled to the charge (continued)

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

FILE COPY



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 03125799

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT AN ASSIGNMENT OF BUILDING CONTRACT DATED THE 30th MAY 2001 AND CREATED BY TERRACE HILL NORTH EAST LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO AIB GROUP (UK) plc CONTAINED IN A COLLATERAL DEED OF EVEN DATE (AS DEFINED THEREIN) WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 7th JUNE 2001.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 11th JUNE 2001.

*10620
Nad.*



Companies House

— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES