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COMPANIES FORM No. 395

Particulars of a mortgage or charge

R.B.O.S.

40x4

026793

395

Please do not
write in
this margin

Pursuant to section 395 of the Companies Act 1985

CHA 116

To the Registrar of Companies

For official use

Company number

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

* insert full name
of company

Name of company

* Terrace Hill North East Limited

Date of creation of the charge

10 April 2000

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

General Security Assignment

Amount secured by the mortgage or charge

Any and all sums (of principal interest fees or otherwise) due to become due from the Company to Clydesdale Bank Public Limited Company ("the Bank").

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

CLYDESDALE BANK PUBLIC LIMITED COMPANY of
30 St Vincent Place Glasgow G1 2HL ("the Bank")

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

D J FREEMAN
1 FETTER LANE
LONDON EC4A 1JB

Ref: HFD

Doc no: PCL1/867020

Time critical reference

For official use
Mortgage Section

Post room



Short particulars of all the property mortgaged or charged

Assignment to the Bank of all:-

- (i) the benefit of its right, title and interest in and to the Contracts; and
- (ii) sums which shall from time to time become payable to the Company by any obligee under the Contracts or any provision thereof; and
- (iii) its rights arising out of or in connection with any breach or default by the Obligee of or under any of the terms covenants and conditions of the Contracts.

"Contracts" means the building contract dated 3 December 1999 made between Bowey Construction Limited and the Company.

"Obligee" means the party or parties of the second part to the Contracts (and if there shall be more than one such party the expression "Obligee" shall mean any one of them where the context so requires) their respective assignees or successors in title or any other party who is obliged to the Company under the terms of the Contracts.

Please see attached 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 *J Freeman*

Date *27th April 2000*

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.

Please do not
write in this
binding margin

Particulars of a mortgage or charge (continued)

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

CHA 116

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

Company Number

3125799

Name of Company

Terrace Hill North East Limited

~~limited~~

* delete if
inappropriate

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

Please do not
write in this
binding margin

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
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bold block lettering

The Company shall not without the prior written consent of the Bank:-

- (a) make or consent to any modification of the terms of the Contracts; or
- (b) consent or agree to any waiver or release of any obligation of the Obligee under the Contracts; or
- (c) make or agree to any claim that the Contracts is frustrated; or
- (d) rescind, cancel or terminate the Contracts (whether by notice pursuant to the provisions thereof or otherwise) or accept any breach thereof or default thereunder as repudiatory; or
- (e) further assign or create any encumbrance over the Assigned Property or any part thereof; or
- (f) take or omit to take any action, the taking or omission of which would or might result in any material impairment of the Assigned Property or any part thereof.

"Assigned Property" means the property assigned to the Bank pursuant to the Assignment.

Please complete
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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 A GENERAL SECURITY ASSIGNMENT DATED THE 10th APRIL 2000 AND CREATED BY TERRACE HILL NORTH EAST LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO CLYDESDALE BANK PUBLIC LIMITED COMPANY WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 27th APRIL 2000.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 3rd MAY 2000.



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES



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