

Particulars of a mortgage or charge

395

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)

For official use

Company number

[2111]

3515570

Name of company

* St Mark Homes Capital Plc

Date of creation of the charge

21 October 2003

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

Sub-Mortgage

Amount secured by the mortgage or charge

1. All of the Company's liabilities to the Bank of any kind and in any currency (whether present or future, actual or contingent and whether incurred alone or jointly with another).
2. All of the Bank's charges and commission and interest at the rates charged to the Company by the Bank from time to time.
3. All expenses (on a full indemnity basis) incurred by the Bank or any Receiver at any time in connection with the Property, the Mortgage or the Company's obligations or in taking or perfecting the Sub-Mortgage or in preserving, defending or enforcing the security created by the Sub-Mortgage or in exercising any power under the Sub-Mortgage or otherwise with interest from the date they are incurred.

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

National Westminster Bank plc ("the Bank")
135 Bishopsgate
London

Postcode EC2M 3UR

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

Cobbetts
Ship Canal House, King Street,
Manchester, M2 4WB

Ref: CSR

Time critical reference

For official Use
Mortgage Section

Post room

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A07
COMPANIES HOUSE

0192
01/11/03

Short particulars of all the property mortgaged or charged

A mortgage of the property known as Land on the Northeast side of Roxborough Park, Harrow on the Hill and registered at HM Land Registry with title number NGL809962 ("the Property") dated 22 September 2003 and granted by Mizen Properties Limited (CRN 2244745) to the Company ("the Mortgage") and all principal, interest or other money now and in the future secured by the Mortgage, together with the benefit of any other security now and in the future held by the Company for the same indebtedness.

NB The Sub-Mortgage contains covenants by the Company with the Bank not without the Bank's prior written consent to:

- (a) create or permit to arise any mortgage, charge or lien on the Property or the Mortgage, nor to dispose of the Property;
- (b) grant or accept a surrender of any lease or licence or part with or share possession or occupation of the Property.

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Particulars as to commission allowance or discount (note 3)

Nil

Signed *Cobbetts*

Date *30 October 2003*

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

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

Please do not write in this margin

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

A fee of £10 is payable to Companies House in respect of each register entry for a mortgage or charge. (See Note 5)

†delete as appropriate

FILE COPY



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 03515570

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A SUB-MORTGAGE DATED THE 21st OCTOBER 2003 AND CREATED BY ST MARK HOMES CAPITAL PLC FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO NATIONAL WESTMINSTER BANK PLC ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 1st NOVEMBER 2003.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 5th NOVEMBER 2003.

LNK 20



Companies House

— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES