

# M

CHFP025

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legibly, preferably  
in black type, or  
bold block lettering

\* insert full name  
of Company

## COMPANIES FORM No. 395

### Particulars of a mortgage or charge

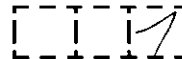
A fee of £10 is payable to Companies House in respect  
of each register entry for a mortgage or charge.

Pursuant to section 395 of the Companies Act 1985

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

For official use

Company number



3934732

Name of company

\* Four Seasons Health Care Properties (Care Homes) Limited  
("the Borrower")

Date of creation of the charge

5 June 2000

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

Standard Security dated 14 April 2000.

Amount secured by the mortgage or charge

The payment and discharge of all the Secured Liabilities which now or at  
any time hereafter may become due, owing or payable and any variation or  
alteration thereof.

FOR DEFINED TERMS PLEASE SEE CONTINUATION SHEET 1

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

Morgan Stanley Mortgage Servicing Limited having its Registered Office  
at 25 Cabot Square, Canary Wharf, London ("the Security Trustee").

Postcode E14 4QA

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

Tods Murray WS  
33 Bothwell Street  
Glasgow

G2 6NL

BUS.NDD.M1132.010

Time critical reference

For official Use

Mortgage Section

Post room



A34  
COMPANIES HOUSE

23/06/00

ALL and WHOLE the subjects known as Murdostoun Castle, now known as Murdostoun Castle Nursing Home and Brain Rehabilitation Unit, Newmains, Wishaw being the subjects registered in the Land Register of Scotland under Title Number LAN24626; Together with (One) the whole buildings and other erections in and upon the said subjects, (Two) the fittings and fixtures therein and thereon, (Three) the whole parts, privileges and pertinents thereof and (Four) the whole rights common, mutual and exclusive pertaining thereto.

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

Particulars as to commission allowance or discount (note 3)

N/A

Signed *Tods Murray*

Date 21/6/00

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

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

## 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

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binding margin

## Particulars of a mortgage or charge (continued)

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

CHA 116

Please complete  
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bold block lettering

Company Number

3934732

Name of Company

Four Seasons Health Care Properties (Care Homes) Limited  
("the Borrower")

~~limited~~\*

\* delete if  
inappropriate

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

N/A

In this Form 395:

"Credit Agreement" means the £65,600,000 loan agreement made on 14 April 2000 between MSDWMC I (1) the Security Trustee (2) and the Borrower (3).

"Finance Document" has the meaning given to it in the Credit Agreement.

"MSDWMC I" means Morgan Stanley Dean Witter Mortgage Capital Inc. of 1585 Broadway, New York, NY 10036 (incorporated in New York, USA) in its capacity as lender pursuant to the Credit Agreement.

"Secured Liabilities" means all present and future obligations and liabilities whether actual or contingent and whether owed jointly or severally or in any capacity whatsoever of the Borrower to all or any of the Secured Parties from time to time under each Finance Document (except for any obligation which, if it were so included, would result in the Debenture between the Borrower and the Security Trustee dated 14 April 2000 contravening Section 151 of the Companies Act 1985).

"Secured Parties" means MSDWMC I and any other party designated as a Secured Party from time to time in writing by MSDWMC I and their respective successors and assigns.

Please complete  
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bold block lettering

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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**

N/A

N/A

**Please complete  
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## COMPANIES FORM No. 398

### Notice of registration in Scotland or Northern Ireland of a charge comprising property situate there

# 398

CHFP025

Please do not  
write in  
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Pursuant to section 398(4) of the Companies Act 1985

To the Registrar of Companies  
(Address overleaf)

Company number

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

3934732

Name of company

\* FOUR SEASONS HEALTH CARE PROPERTIES (CARE HOMES) LIMITED

WE, TODS MURRAY WS

of 33 BOTHWELL STREET, GLASGOW G2 6NL

§ give date and  
parties to charge

certify that the charge is BY FOUR SEASONS HEALTH CARE PROPERTIES (CARE HOMES)  
LIMITED IN FAVOUR OF MORGAN STANLEY MORTGAGE SERVICING LIMITED (AS SECURITY  
TRUSTEE) DATED 14 APRIL 2000

of which a true copy is annexed to this form was presented for registration on 5 JUNE 2000

† delete as  
appropriate

in [Scotland] ~~Northern Ireland~~†

Signed

*Tods Murray*

Date

21/6/00

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

Tods Murray WS  
33 Bothwell Street  
Glasgow

G2 6NL  
DX 512815 Glasgow Central  
BUS.NDD.M1132.010

For official Use

Mortgage Section

Post room

## Notes

The address for the Registrar of Companies is:-

Companies House  
Crown Way  
Cardiff  
CF14 3UZ





## CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 03934732

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A STANDARD SECURITY WHICH WAS PRESENTED FOR REGISTRATION IN SCOTLAND ON THE 5 JUNE 2000 AND DATED THE 14th APRIL 2000 AND CREATED BY FOUR SEASONS HEALTH CARE PROPERTIES (CARE HOMES) LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO ALL OR ANY OF THE SECURED PARTIES FROM TIME TO TIME UNDER EACH FINANCE DOCUMENT (ALL AS DEFINED THEREIN) WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 23rd JUNE 2000.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 27th JUNE 2000.

*RJR*



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES



C O M P A N I E S   H O U S E