

# M

CHFP025

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\*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

[2111]

4089236

Name of company

\* Capital Residential Fund Nominee No. 2 Limited

Date of creation of the charge

22 AUGUST 2005

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

27 Third Party Commercial Legal Charge

Amount secured by the mortgage or charge

T All sums and liabilities whether actual or contingent, present or  
future due to BoS by Citicorp Trustee Company Limited in its capacity  
as trustee for the Capital Residential Fund (an unauthorised property  
unit trust) (the Trustee)

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

G The Governor and Company of the Bank of Scotland (BoS)  
NEW SUPERIOR HOUSE  
11 EARL GREY STREET  
EDINBURGH

Postcode EH3 9BN

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

Walker Morris Solicitors  
Kings Court  
12 King Street  
LS1 2HL

JMP/consort lodge

Time critical reference

For official Use  
Mortgage Section

Post room



Short particulars of all the property mortgaged or charged

The Company, at the request and direction of the Trustee, as trustee (or when appropriate with limited title guarantee) charges:

- 1 by way of legal mortgage the freehold property known as 8th and 9th Floors Penthouse Flat at Consort Lodge and 4 garage spaces 34/35 Prince Albert Road London NW1 and registered at H.M. Land Registry under Title Number NGL479056 (the Property)
- 2 by way of fixed charge all buildings and other structures on, and items fixed to the Property.
- 3 by way of fixed charge any goodwill relating to the Property or the business or undertaking conducted at the Property.
- 4 by way of fixed charge all plant, machinery and other items affixed to and forming part of the Property on or at any time after the date of the Charge.

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Particulars as to commission allowance or discount (note 3)

NIL

Signed



Date

22 August 2005

On behalf of ~~XXXXXX~~ [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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# **Particulars of a mortgage or charge (continued)**

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Continuation sheet No \_\_\_\_\_  
to Form No 395 and 410 (Scot)

Please complete  
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Company Number

4089236

Name of Company

Capital Residential Fund Nominee No. 2 Limited

Limited\*

\* delete if  
inappropriate

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

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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

5 by way of assignment all rental income relating to the Property together with the benefit of all rights and remedies of the Company relating to them to hold to BoS absolutely subject to redemption upon repayment.

6 by way of fixed charge the proceeds of any claim made under any insurance policy relating to any of the property charged under the charge; and

7 by way of floating charge all unattached plant, machinery, chattels and goods now or at any time after the date of the Charge on or in or used in connection with the Property or the business and undertaking conducted at the Property.

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## CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 04089236

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT THIRD PARTY LEGAL CHARGE DATED THE 22nd AUGUST 2005 AND CREATED BY CAPITAL RESIDENTIAL FUND NOMINEE NO.2 LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM CITICORP TRUSTEE COMPANY LIMITED IN ITS CAPACITY AS TRUSTEE FOR THE CAPITAL RESIDENTIAL FUND (AN UNAUTHORISED PROPERTY UNIT TRUST) (THE TRUSTEE) TO THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 23rd AUGUST 2005.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 26th AUGUST 2005.

*[Handwritten signature]*



*Companies House*

— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES