

MG01

Particulars of a mortgage or charge



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LASERFORM

422178/26

**A fee is payable with this form.**

We will not accept this form unless you send the correct fee.

Please see 'How to pay' on the last page.



**What this form is for**

You may use this form to register particulars of a mortgage or charge in England and Wales or Northern Ireland.



**What this form is NOT for**

You cannot use this form to register particulars of a charge for a Scottish company. To do this, please use form MG01s.

For further information, please refer to our guidance at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)

1

**Company details**

Company number

4 2 2 2 5 7 3

Company name in full

Ashtenne Industrial Fund Nominee No. 2 Limited

1176

For official use

**Filling in this form**

Please complete in typescript or in bold black capitals.

All fields are mandatory unless specified or indicated by \*

2

**Date of creation of charge**

Date of creation

d1 d5 m0 m1 y2 y0 y1 y0

3

**Description**

Please give a description of the instrument (if any) creating or evidencing the charge, e.g. 'Trust Deed', 'Debenture', 'Mortgage', or 'Legal charge'.

Description

Standard Security

4

**Amount secured**

Please give us details of the amount secured by the mortgage or charge.

Amount secured

All present and future obligations and liabilities, whether actual or contingent and whether owned jointly or severally or in any other capacity whatsoever of each Obligor to the Beneficiaries (or any of them) under the Transaction Documents except any obligation which, if it were so included, would result in a contravention of Sections 678 or 679 of the Companies Act 2006.

[Please see Continuation Page for definitions used in this Form MG01.]

**Continuation page**

Please use a continuation page if you need to enter more details.

WEDNESDAY



\*S9P4FH0Q\*

SCT

27/01/2010

6

COMPANIES HOUSE

**MG01****Particulars of a mortgage or charge****5 Mortgagee(s) or person(s) entitled to the charge (if any)**

Please give the name and address of the mortgagee(s) or person(s) entitled to the charge.

**Continuation page**

Please use a continuation page if you need to enter more details.

Name National Westminster Bank PLC

Address 135 Bishopsgate

London

Postcode E H 2 M 3 U R

Name

Address

Postcode

**6 Short particulars of all the property mortgaged or charged**

Please give the short particulars of the property mortgaged or charged.

**Continuation page**

Please use a continuation page if you need to enter more details.

Short particulars

ALL and WHOLE the subjects known as and forming 4 Deerdykes Place, Cumbernauld in the Land Register of Scotland under Title Number DMB31523

# MG01

## Particulars of a mortgage or charge

7

### Particulars as to commission, allowance or discount (if any)

Please insert the amount or rate percent of any commission, allowance or discount paid or made either directly or indirectly by the company to any person on consideration of his:

- subscribing or agreeing to subscribe, whether absolutely or conditionally, or
- procuring or agreeing to procure subscriptions, whether absolute or conditional,

for any debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered.

Commission allowance or discount

N/A

8

### Delivery of instrument

You must deliver the original instrument (if any) creating or evidencing the charge and these prescribed particulars to the Registrar of Companies within 21 days after the date of creation of the charge (section 860). If the property is situated and the charge was created outside the United Kingdom (UK), you must deliver the information to the Registrar within 21 days after the date on which the instrument could have been received in the UK in the normal course of post and assuming you had posted it promptly (section 866).

We will accept a verified copy of the instrument creating the charge where the property charged is situated and the charge was created outside the UK (section 870). The company or the person who has delivered the copy to the Registrar must verify it to be a correct copy and sign it. Where a body corporate gives the verification, an officer of that body must sign it. We will also accept a verified copy where section 867(2) applies (property situated in another part of UK).

9

### Signature

Please sign the form here.

Signature

Signature

X 

FOR MCRICORS LLP 27/01/2010

X

This form must be signed by a person with an interest in the registration of the charge.

# MG01

## Particulars of a mortgage or charge



### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form and will establish where we return the original documents. The contact information you give will be visible to searchers of the public record.

Contact name Jennifer Sharp

Company name MCGRIGORS LLP

Address

Post town

County/Region

Postcode

E

H

3

9

A

Q

Country

DX DX ED 723301 EDINBURGH 43

Telephone 0131 777 7000



### Certificate

We will send your certificate to the presenter's address if given above or to the Company's Registered Office if you have left the presenter's information blank.



### Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☒ [x] The company name and number match the information held on the public Register.
- ☒ [x] You have included the original deed with this form.
- ☒ [x] You have entered the date the charge was created.
- ☒ [x] You have supplied the description of the instrument.
- ☒ [x] You have given details of the amount secured by the mortgagee or chargee.
- ☒ [x] You have given details of the mortgagee(s) or person(s) entitled to the charge.
- ☒ [x] You have entered the short particulars of all the property mortgaged or charged.
- ☒ [x] You have signed the form.
- ☒ [x] You have enclosed the correct fee.

\* NOTE - A CERTIFIED TRUE COPY DEED IS ENCLOSED - ORIGINAL WITH REGISTERS OF SCOTLAND



### Important information

Please note that all information on this form will appear on the public record.



### How to pay

A fee of £13 is payable to Companies House in respect of each mortgage or charge.

Make cheques or postal orders payable to 'Companies House.'



### Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the appropriate address below:

**For companies registered in England and Wales:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**For companies registered in Scotland:**

The Registrar of Companies, Companies House,  
Fourth floor, Edinburgh Quay 2,  
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF.  
DX ED235 Edinburgh 1  
or LP - 4 Edinburgh 2 (Legal Post).

**For companies registered in Northern Ireland:**

The Registrar of Companies, Companies House,  
First Floor, Waterfront Plaza, 8 Laganbank Road,  
Belfast, Northern Ireland, BT1 3BS.  
DX 481 N.R. Belfast 1.



### Further information

For further information, please see the guidance notes on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

This form is available in an alternative format. Please visit the forms page on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)

# MG01 - continuation page

## Particulars of a mortgage or charge

4

### Amount secured

Please give us details of the amount secured by the mortgage or charge.

Amount secured

**"Arranger"** means NATIONAL WESTMINSTER BANK PLC a member of The Royal Bank of Scotland Group, as arranger of the facility to be provided under the Facility Agreement;

**"Beneficiary"** means each Finance Party and each Lender Hedging Agreement Counterparty;

**"Borrower"** means THE ASHTENNE INDUSTRIAL FUND LIMITED PARTNERSHIP (registered in England under the Limited Partnerships Act 1907 with partnership number LP7663) acting by its general partner ASHTENNE INDUSTRIAL (GENERAL PARTNER) LIMITED (registered in England with number 4222557);

**"Facility Agreement"** means the agreement so called dated 11 July 2001 between (1) The Ashtenne Industrial Fund Limited Partnership as Borrower, (2) The Companies listed in part 1 of schedule 1 thereto and Ashtenne Industrial (General Partner) Limited as Original Guarantors, (3) National Westminster Bank Plc as Arranger, (4) The Financial Institutions listed in part 2 of schedule 1 thereto as Original Lenders, (5) The Royal Bank of Scotland plc as Facility Agent, (6) National Westminster Bank Plc as Security Agent and (7) the financial institutions listed in part 3 of schedule 1 thereto as Original Lender Hedging Agreement Counterparties, as amended by amendment agreements dated 31 December 2002, 25 June 2004, 1 November 2005 and 19 December 2005 and as amended by amendment and restatement agreements between the parties dated (i) 7 September 2006 and (ii) on or around the date of the Standard Security between the parties, as further amended, supplemented, novated, extended or restated from time to time;

**"Facility Agent"** means THE ROYAL BANK OF SCOTLAND PLC, as facility agent for the Lenders;

**"Finance Document"** means the Standard Security, the Facility Agreement, any Accession Letter, each Security Document, each Fee Letter, each Duty of Care Agreement and any other document designated as such by the Facility Agent and the Borrower;

**"Finance Party"** means the Arranger, each Lender, the Facility Agent and the Security Agent;

**"Lender"** means (a) any Original Lender and (b) any bank or financial institution which has become a Party in accordance with the Facility Agreement, which in each case has not ceased to be a Party in accordance with the terms of the Facility Agreement;

**"Lender Hedging Agreement Counterparty"** means (a) any Original Lender Hedging Agreement Counterparty and (b) any Lender or Affiliate of a Lender which is counterparty to a Lender Hedging Agreement (and each permitted assignee or transferee of each Lender or Affiliate of such Lender acting in its capacity as such counterparty);

**"Obligor"** means the Borrower or a Guarantor;

**"Original Lenders"** means the financial institutions listed in Part 2 of Schedule 1 of the Facility Agreement;

**"Security Agent"** means NATIONAL WESTMINSTER BANK PLC, incorporated under the Companies Acts with Company Number 00929027 and having their Registered Office at 135 Bishopsgate, London EC2M 3UR, for itself as a Beneficiary and in its capacity as security agent for the Beneficiaries (which expression "the Security Agent" shall include any successor Security Agent appointed from time to time); and

**"Transaction Documents"** means each Finance Document and each Lender Hedging Agreement.

And any other term which is capitalised in this Continuation Page, but not herein defined, has the meaning ascribed to that term in the Facility Agreement.

Please note that in respect of the identity of the mortgagee(s) or person(s) entitled to the charge, National Westminster Bank Plc is entitled to the charge for itself as a Beneficiary and in its capacity as security agent for the Beneficiaries.

# MG01 - continuation page

## Particulars of a mortgage or charge

### 5 Mortgagee(s) or person(s) entitled to the charge

Please give the name and address of the mortgagee(s) or person(s) entitled to the charge.

Name	In respect of the identity of the mortgagee(s) or
Address	person(s) entitled to the charge, National
	Westminster Bank Plc is entitled to the charge for
Postcode	
Name	itself as a Beneficiary and in its capacity as
Address	security agent for the Beneficiaries
Postcode	
Name	
Address	
Postcode	
Name	
Address	
Postcode	
Name	
Address	
Postcode	
Name	
Address	
Postcode	
Name	
Address	
Postcode	

# MG09

## Certificate of registration of a charge comprising property situated in another UK jurisdiction



☒ **What this form is for**  
You may use this form to give notice  
of a certificate of registration of a  
charge comprising property situated  
in another UK jurisdiction.

☒ **What this form is NOT for**  
You cannot use this form as a  
certificate of registration of a charge  
for a company registered  
in Scotland.

For further information, please  
refer to our guidance at  
[www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)

### 1 Company details

Company number 4 2 2 2 5 7 3  
Company name in full Ashtenne Industrial Fund Nominee No. 2 Limited

For official use  
→ **Filling in this form**  
Please complete in typescript or in  
bold black capitals.  
All fields are mandatory unless  
specified or indicated by \*

### 2 Date charge presented

Date of, and parties to, the charge It is hereby certified that the charge ①  
Standard Security dated 11 December 2009 between  
National Westminster Bank PLC and Ashtenne  
Industrial Fund Nominee No 2 Limited and others  
was presented for registration on  
d1 d5 m0 m1 y2 y0 y1 y0

Jurisdiction in ②  
☒ Scotland  
☐ England and Wales  
☐ Northern Ireland

- ① As described on form MG01  
'Particulars of a mortgage  
or charge'.  
② Please tick as appropriate.

### 3 Signature

Please sign the form here.  
Signature  
☒ For McGrigors LLP 27/01/10

This form must be signed by a person with an interest in the registration of  
the charge.

# MG09

Certificate of registration of a charge comprising property situated in another UK jurisdiction



## Presenter information

You do not have to give any contact information but if you do, it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name

Company name

MCGRIGORS LLP

Address

Post town

County/Region

Postcode

E H 3 9 A Q

Country

DX DX ED 723301 EDINBURGH 43

Telephone 0131 777 7000



## Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have shown the date of, and parties to, the charge in Section 2.
- ☐ You have declared where the charge was presented for registration.
- ☐ You have enclosed the form MG01 and a verified copy of the deed.
- ☐ You have signed the form.



## Important information

Please note that all information on this form will appear on the public record.



## Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the appropriate address below:

### For companies registered in England and Wales:

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

### For companies registered in Scotland:

The Registrar of Companies, Companies House,  
Fourth floor, Edinburgh Quay 2,  
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF.  
DX ED235 Edinburgh 1  
or LP - 4 Edinburgh 2 (Legal Post).

### For companies registered in Northern Ireland:

The Registrar of Companies, Companies House,  
First Floor, Waterfront Plaza, 8 Laganbank Road,  
Belfast, Northern Ireland, BT1 3BS.  
DX 481 N.R. Belfast 1.



## Further information

For further information, please see the guidance notes on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

This form is available in an alternative format. Please visit the forms page on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)





**FILE COPY**

**CERTIFICATE OF THE REGISTRATION  
OF A MORTGAGE OR CHARGE**

**Pursuant to section 869(5) & (6) of the Companies Act 2006**

**COMPANY NO. 4222573**

**CHARGE NO. 176**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A STANDARD SECURITY WHICH  
WAS PRESENTED FOR REGISTRATION IN SCOTLAND ON 15  
JANUARY 2010 AND CREATED BY ASHTENNE INDUSTRIAL  
FUND NOMINEE NO.2 LIMITED FOR SECURING ALL MONIES  
DUE OR TO BECOME DUE FROM EACH OBLIGOR TO THE  
BENEFICIARIES OR ANY OF THEM ON ANY ACCOUNT  
WHATSOEVER UNDER THE TERMS OF THE AFOREMENTIONED  
INSTRUMENT CREATING OR EVIDENCING THE CHARGE WAS  
REGISTERED PURSUANT TO CHAPTER 1 PART 25 OF THE  
COMPANIES ACT 2006 ON THE 27 JANUARY 2010

GIVEN AT COMPANIES HOUSE, CARDIFF THE 1 FEBRUARY  
2010

DX  
[Signature]



*Companies House*  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES