

M

COMPANIES FORM No. 395

Particulars of a mortgage or charge

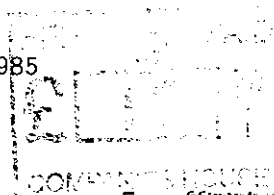
TRES.  
£10

024735

395

Please do not  
write in  
this margin

Pursuant to section 395 of the Companies Act 1985



For official use

Company number

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

To the Registrar of Companies  
(Address overleaf)

1 1 1 2 1

4269323

Name of company

\*Howgate Two Limited ("the Company")

\* insert full name  
of company

Date of creation of the charge

4 January 2002

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

Standard Security

Amount secured by the mortgage or charge

SEE PAPER APART

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

Bayerische Hypo-Und Vereinsbank Aktiengesellschaft as agent and trustee

41 Moorgate

London

Postcode

EC2R 6AR

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

Dundas & Wilson CS  
Saltire Court  
20 Castle Terrace  
Edinburgh  
EH1 2EN

RBJ/HYP002.0169

For official Use

Mortgage Section

Post room



A46  
COMPANIES HOUSE

\*A8UD07N2\*

0363  
21/01/02

Time critical reference

Short particulars of all the property mortgaged or charged

ALL and WHOLE the subjects comprising and known as The Howgate Centre, Falkirk registered in the Land Register of Scotland under Title Number STG 19728

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

Nil

Signed



Date

10

January 2002

On behalf of [company] [chargee]\*

January 2002

\*  
delete as  
appropriate

The address of the Registrar of Companies is:-

Companies House, Crown Way, Cardiff CF4 3UZ

## PAPER APART

All obligations, monies and liabilities including interest, costs, charges, fees, expenses and others whatsoever due or that may become due by Howgate One Limited, Howgate Two Limited and/or any other Obligor (as said term is defined in the Credit Agreement aftermentioned) to **BAYERISCHE HYPO-UND VEREINSBANK AKTIENGESELLSCHAFT** London office whose principal office in the United Kingdom is at Forty one Moorgate, London, EC2R 6AR as arranger, lender, counterparty and as agent and its successors and assignees whomsoever (hereinafter along with its successors and assignees in its capacity as agent referred to as "**the Agent**") and to any other Finance Party (as the same are defined in the Credit Agreement aftermentioned) and their respective successors and assignees whomsoever in any manner of way or in any respect whatsoever whether alone or jointly with any other person or persons and whether as principal debtor, agent, trustee, guarantor or surety or otherwise whomsoever and howsoever including without prejudice to the foregoing generality all present and future obligations and liabilities whether actual or contingent and whether owed jointly or severally or in any other capacity whatsoever of each Obligor (as defined in the Credit Agreement) to each Finance Party (as defined in the Credit Agreement) under or pursuant to (1) a Credit Agreement dated Twenty fifth April Nineteen hundred and Ninety seven between (amongst others) Capital and Regional Properties plc and the Agent as said Credit Agreement was restated by Restatement Agreement dated Twenty third June Nineteen hundred and Ninety seven between (among others) the said Capital and Regional Properties plc, the Chargors and Bayerische Hypotheken-und Wechsel-Bank A.G. and as said Credit Agreement is amended by a Supplemental Agreement between the Chargors (as defined in the said Credit Agreement) and the Agent executed by Howgate One Limited and Howgate Two Limited on 30 October 2001 as the same may be further extended, amended, varied, supplemented, novated, restated, replaced or renewed from time to time and (2) any other Finance Document referred to as such in the said Credit Agreement

A handwritten signature in dark ink, consisting of a large, stylized capital 'D' followed by a cursive 'L' and a short horizontal stroke.

# M

COMPANIES FORM No. 398

# 398

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

Please do not  
write in  
this margin

Pursuant to section 398(4) of the Companies Act 1985

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

Company number

4269323

Name of company

\* Howgate Two Limited ("the Company")

We, Dundas &amp; Wilson CS

of Saltire Court, 20 Castle Terrace, Edinburgh, EH1 2EN

certify that the charge † Standard Security by the Company in favour of Bayerische Hypo-Und  
Vereinsbank Aktiengesellschaft as agent and trustee dated 30 October 2001

of which a true copy is annexed to this form was presented for registration on 4 January 19 2002in [Scotland] [~~Northern Ireland~~] †

Signed

Date 10 January 2002Presentor's name address and  
reference (if any):

Dundas & Wilson CS  
Saltire Court  
20 Castle Terrace  
Edinburgh  
EH1 2EN

RBJ/PRE022.0169

For official Use

Mortgage Section

Post room

FILE COPY



## CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 04269323

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A STANDARD SECURITY WHICH WAS PRESENTED FOR REGISTRATION IN SCOTLAND ON THE 4th JANUARY 2002 DATED THE 30th OCTOBER 2001 AND CREATED BY HOWGATE TWO LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO BAYERISCHE HYPO- UND VEREINSBANK AKTIENGESLLSCHAFT as Agent and Trustee UNDER THE TERMS OF THE AFOREMENTIONED INSTRUMENT CREATING OR EVIDENCING THE CHARGE WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 21st JANUARY 2002.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 23rd JANUARY 2002.



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES



*Companies House*

— for the record —