

Particulars of a mortgage or charge

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



CHFP004

Please do not
write in
this margin

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

*Insert full name
of Company

Pursuant to section 395 of the Companies Act 1985

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

For official use

7

Company number

04691625

Name of company

*Oakapple Homes (Scarborough) Limited (the "Company")

Date of creation of the charge

22 June 2007

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

Legal Charge (the "Charge")

Amount secured by the mortgage or charge

All monies and liabilities which shall for the time being (and whether on or at any time after such demand) be due owing or incurred to the Lender (as defined below) by the Company whether actually or contingently and whether solely or jointly with any other person and whether as principal or surety including interest discount commission or other lawful charges and expenses which the Lender may in the course of its business charge in respect of any of the matters aforesaid or for keeping the Company's account and so that interest shall be computed and compounded according to the usual mode of the Lender as well after as before any demand made or judgement obtained

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

Davenham Trust Plc (the "Lender")

8 St John Street

Manchester

Postcode

M3 4DU

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

Pinsent Masons
1 Park Row
Leeds
LS1 5AB

Ref KS02/626401 07005/RZW

21310212 3/KS02

Time critical reference

For official Use
Mortgage Section

Post room

TUESDAY



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A31

03/07/2007

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COMPANIES HOUSE

Short particulars of all the property mortgaged or charged

Please see attached Appendix

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 (note 3)

Nil

*A fee of £13 is
payable to
Companies House
in respect of each
register entry for a
mortgage or
charge
(See Note 5)*

For Davenham Trust Plc

Signed Pinsent Masons Date 2 July 2007

On behalf of chargee

Notes

†delete as
appropriate

- 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, DX 33050 Cardiff

APPENDIX

Short particulars of all the property mortgaged or charged

- 1 The Company with full title guarantee has charged by way of legal mortgage all that property referred to in the schedule hereto (hereinafter called "**the Mortgaged Property**") with the payment or discharge of all moneys and liabilities covenanted to be paid or discharged by the Company pursuant to the Charge
- 2 During the continuance of the security created by the Charge no statutory or other power of granting or agreeing to grant or of accepting or agreeing to accept surrenders of leases or tenancies of the Mortgaged Property or any part thereof shall be capable of being exercised by the Company without the previous consent in writing of the Lender nor shall section 93 of the Law of Property Act 1925 dealing with the consolidation of mortgages apply to the security created by the Charge
- 3 The Company has covenanted with the Lender not to contract for the disposal of (without prejudice to the generality of the foregoing and which for the avoidance of doubt includes attaching any security interest to it, or providing an option in relation to it) the Mortgaged Property (or any interest in, or relating to, the same) without the prior written consent of the Lender
- 4 The parties have applied to the Land Registry for a restriction in the following terms to be registered against the title to the Mortgaged Property -

"No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the charge dated 22 June 2007 in favour of DAVENHAM TRUST PLC" referred to in the Charges Register

THE SCHEDULE ABOVE REFERRED TO

The Freehold property known as or being -

Land and Buildings at Edgehill Estate, Newcoln Road, Scarborough shown coloured red on the plans annexed to the Charge

Title No(s)	Administrative Area
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NYK289129 (Part)	Scarborough
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FILE COPY



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 04691625

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL CHARGE DATED THE 22nd JUNE 2007 AND CREATED BY OAKAPPLE HOMES (SCARBOROUGH) LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO DAVENHAM TRUST PLC ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 3rd JULY 2007

GIVEN AT COMPANIES HOUSE, CARDIFF THE 6th JULY 2007

Paul



Companies House

— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES