

4094/13

MG01

## Particulars of a mortgage or charge

**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  
company. To do this, please  
use form MG01s

SATURDAY



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09/03/2013

#249

COMPANIES HOUSE

For official use

**1****Company details**

Company number 0 7 3 3 1 6 8 8

Company name in full Napier Capital No 5 LP acting by its general partner

Napier Capital General Partner No 5 Limited ("Mortgagor")

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**→ 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 d d4 m m3 y2 y0 y1 y3

**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 Assignment of Agreement ("Assignment")

**4****Amount secured**

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

Amount secured

All the Mortgagor's liabilities to the Bank of any  
kind and in any currency (whether present or future  
actual or contingent and whether incurred alone or  
jointly with another) together with the Bank's  
charges and commission Interest and Expenses  
("Mortgagor's Obligations")

**Continuation page**

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

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## 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		<b>Continuation page</b> Please use a continuation page if you need to enter more details
Name	The Royal Bank of Scotland plc ("Bank") /	
Address	3rd Floor, 5-10 Great Tower Street	
	London	
Postcode	E C 3 P 3 H X	
Name		
Address		
Postcode		

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

Please give the short particulars of the property mortgaged or charged		<b>Continuation page</b> Please use a continuation page if you need to enter more details
Short particulars	<p>The Mortgagor covenants to discharge on demand the Mortgagor's Obligations and as a continuing security for such discharge and with full title guarantee assigns to the Bank the Agreements and all rights, title, interest and money now and in the future due to the mortgagor pursuant to the Agreements subject to re-assignment on redemption</p> <p>Note the Chargor will not without the Banks prior written consent</p> <p>(1) agree to any variation of the Agreements,</p> <p>(11) assign or create or permit to arise any mortgage charge or lien on the Agreements,</p> <p>(111) dispose of the Agreements</p> <p>Definitions (see continuation)</p>	

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### 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

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### 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 870).

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 866). 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).

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### Signature

Please sign the form here

Signature

Signature

X Fludgate Ltd.

X

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

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## 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 Gary Smith

Company name Fladgate LLP

Address 16 Great Queen Street

Post town London

County/Region

Postcode W C 2 B 5 D G

Country United Kingdom

DX 37971 Kingsway

Telephone 020 3036 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

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

### 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,  
Second Floor, The Linenhall, 32-38 Linenhall Street,  
Belfast, Northern Ireland, BT2 8BG  
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

6	Short particulars of all the property mortgaged or charged	
	Please give the short particulars of the property mortgaged or charged	
Short particulars	<p>Definitions</p> <p>Agreements</p> <p>(a) A lease dated 15 February 2013 made between the Mortgagor and Premier Inn Hotels Limited in respect of the property at 5-11 London Road, Maidstone, Kent,</p> <p>(b) A property management agreement dated 5 July 2012 between the Mortgagor and Cushman &amp; Wakefield LLP (registered number OC328588) and relating to the property known 5-11 London Road, Maidstone, Kent, and</p> <p>(c) An operator agreement dated 6 March 20012 (as varied by a supplemental deed dated 12 March 2012) between the Mortgagor and Consortium Investment Management LLP (registered number OC327385)</p> <p>Interest Interest at the rate(s) charged to the Mortgagor by the Bank from time to time</p> <p>Expenses All expenses (on a full indemnity basis) incurred by the Bank or any Receiver at any time in connection with the Agreements or the Mortgagor's Obligations or in taking or perfecting the Assignments or in preserving, defending or enforcing the security created by this deed or in exercising any power under the Assignment or otherwise with Interest from the date they are incurred</p>	



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

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

**COMPANY NO. 7331688  
CHARGE NO. 5**

**THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT AN ASSIGNMENT OF AGREEMENT  
DATED 4 MARCH 2013 AND CREATED BY NAPIER CAPITAL  
GENERAL PARTNER NO 5 LIMITED FOR SECURING ALL  
MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO  
THE ROYAL BANK OF SCOTLAND PLC ON ANY ACCOUNT  
WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1  
PART 25 OF THE COMPANIES ACT 2006 ON THE 9 MARCH 2013**

**GIVEN AT COMPANIES HOUSE, CARDIFF THE 13 MARCH 2013**



**Companies House**



**THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES**