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COMPANIES FORM No. 402

CR53

402

**Particulars of a mortgage or charge**

Pursuant to Article 402(1) of the Companies (Northern Ireland) Order 1986

Please do not  
write in  
this margin

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

To the Registrar of Companies

For official use

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Company Number

NI 002764

\* insert full name of  
company

Name of Company

L HERBERT & SON LIMITED

Date of creation of the charge

14<sup>th</sup> March 2008

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

Assignment of Rental Income

Amount secured by the mortgage or charge

All the Company's liabilities, present and future, to the Governor and Company of the Bank of Ireland ("the Bank"), either alone or jointly with others, and whether as Principal or Surety

DEPARTMENT OF ENTERPRISE  
TRADE & INVESTMENT  
COMPANIES REGISTRY

19 MAR 2008

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

The Governor and Company of the Bank of Ireland, Lower Baggot Street in the City of Dublin

COUNTER RECEIVED

Presentor's name, address  
and Reference (if any)  
C & H Jefferson, 7 Fountain  
Street, Belfast, BT1 5EA  
Ref: CMcC/AD/B157/1144

For Official Use  
Public Office

Mortgage Section

The rents described in the Second Schedule to the Assignment of Rental Income in respect of the property(ies) at: -

Unit 1 Hanover Place, Coleraine, County Londonderry  
141,143 and 145 Upper Lisburn Road, Belfast  
75 Belfast Road, Carrickfergus, County Antrim

and specified on the copy thereof annexed hereto and also all monies and renewed or renegotiated rents payable on foot of the leases described in the said Second Schedule with full power to the Bank, to receive and give an effectual discharge to the lessee for all or any such rents or monies and also in its discretion and in such manner and at such times and at such price, as it may think proper, to sell and assign the said rents (or any of them) and to receive and give effectual discharge for the purchase money of the same.

Please do not  
write in this  
margin

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legibly,  
preferably in  
black type, or  
bold block  
lettering

Particulars as to commission, allowance or discount (note 3)

Signed CH Jefferson Date 19/3/08

On behalf of [~~company~~][mortgagee/chargee]\*

\* 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 (Article 402). 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 (Article 405). 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 (Article 405), 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 Article 405(4) applies (property situate in Great Britain) and Form No.405 is submitted.

2. A description of the instrument, e.g. "Trust Deed", "Debenture", "Mortgage" or "Legal charge", etc, as the case may be, should be given.

3. In this Box 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 are insufficient the particulars must be entered on the prescribed continuation sheet.

## SECOND SCHEDULE

Date	Lessee's Name	Property	Term	Rent
23 <sup>rd</sup> October 1995	JJB Sports plc	Unit 1 Hanover Place, Coleraine	25 years from 22 <sup>nd</sup> September 1995	£147,125.00
18 <sup>th</sup> November 1992	Herbel Restaurants Limited	141, 143 and 145 Upper Lisburn Road	25 years from 1 <sup>st</sup> October 1992	£55,000.00 per annum
7 <sup>th</sup> April 1994	Herbel Restaurants Limited	75 Belfast Road, Carrickfergus	25 years from 4 <sup>th</sup> April 1992	£57,5000.00



NI002764

CERTIFICATE OF THE REGISTRATION OF A MORTGAGE

Pursuant to Article 409(3) of the  
Companies (Northern Ireland) Order 1986

I HEREBY CERTIFY that an Assignment of Rental Income dated  
the FOURTEENTH day of MARCH two-thousand and EIGHT and created by

**L. HERBERT & SON, LIMITED**

for securing all moneys now due, or hereafter to become due,  
or from time to time accruing due from the Company to

**THE GOVERNOR AND COMPANY OF THE BANK OF IRELAND**

on any account whatsoever, was this day REGISTERED pursuant to  
Part XIII of the Companies (Northern Ireland) Order 1986.

Given under my hand at Belfast, this the NINETEENTH day of MARCH two-  
thousand and EIGHT

A handwritten signature in black ink, reading "Louise Hunter".

for the Registrar of  
Companies for Northern Ireland