

Particulars of a mortgage or charge



402

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

*Insert full name
of Company

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

To the Registrar of Companies

For official use

Company number

	2
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[] NI 057824

Name of company

* Tullynevin Construction Limited (the "Company")

Date of creation of the charge

[] day of [] 13th September 2007

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

Mortgage and Charge (the "Mortgage")

Amount secured by the mortgage or charge

All the Company's liabilities to Ulster Bank Limited (the "Bank") of any kind and in any currency (whether present or future actual or contingent and whether incurred alone or jointly with another) including banking charges, commission, interest, costs and expenses.

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

Ulster Bank Limited

11-16 Donegall Square East

Belfast

Postcode

BT1 5UB

Presentor's name and address and

Reference (if any):

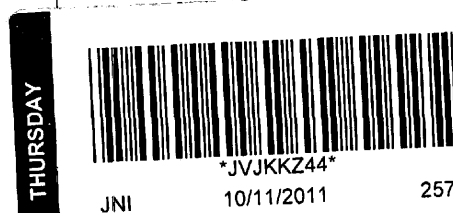
Morris & Co Solicitors
7/8 The Market Place
Derrylin
Co. Fermanagh
BT92 9AN

Time critical reference

For official Use

Mortgage Section

Post room



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Short particulars of all the property mortgaged or charged

1 By way of mortgage and charge:

Part of the lands of Knockmackeegan, Newtownbutler,
[Co. Fermanagh comprised in Folio FE79024] (the "Property")
all covenants and rights affecting or concerning the Property and any share from time to time held
by the Company in any landlord or management company of the Property.

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

2 By way of fixed charge and assignment:

- 2.1 The fixtures and fittings of the Company from time to time attached to the Property.
- 2.2 The plant and machinery vehicles and computer equipment of the Company at the date of the Mortgage and thereafter at the Property not regularly disposed of in the ordinary course of business and all associated warranties and maintenance contracts.
- 2.3 The furniture furnishings equipment tools and other chattels of the Company at the date of the Mortgage and thereafter at the Property and not regularly disposed of in the ordinary course of business.
- 2.4 The present and future goodwill of any business carried on at the Property by or on behalf of the Company the rents receivable from any lease granted out of the Property and the proceeds of any insurance from time to time affecting the Property or the assets referred to above.

Note:- The Mortgage contains covenants by the Company with the Bank not without the Bank's prior written consent to:

- (a) create or permit to arise any mortgage charge or lien on the charged property, nor to dispose of the charged property;
- (b) grant or accept a surrender of any lease or licence or part with or share possession or occupation of the Property.

Particulars as to commission allowance or discount (note 3)

Nil

For Ulster Bank Limited

On behalf of [company] [mortgage/charge]

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 (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, eg "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 provide insufficient space the particulars must be entered on the prescribed continuation sheet.



**IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
CHANCERY DIVISION (COMPANIES)**

BEFORE MASTER KELLY

on THURSDAY THE 20TH DAY OF OCTOBER 2011

**IN THE MATTER OF TULLYNEVIN CONSTRUCTION LIMITED
AND IN THE MATTER OF THE COMPANIES ACT 2006**

UPON THE APPLICATION by Originating Summons dated 29 September 2011 by the Applicant, Tullynevin Construction Ltd, whose registered office is situate at C/O Morris & Co Solicitors, 7/8 The Market Place, Derrylin, County Fermanagh, BT92 9AN.

AND UPON HEARING Morris & Co Solicitors for the Applicant,

AND UPON READING the said Originating Summons and the other documents on the Court file recorded as having been read

AND UPON THE APPLICANT by their Counsel giving the undertaking set out in the schedule to this order

AND THE COURT being satisfied that the omission to deliver to the Registrar of Companies pursuant to Section 870 of the Companies Act 2006 ("the Act") the Charge mentioned together with the prescribed particulars thereof was due to inadvertence and that it is just and equitable to grant relief pursuant to article 873 of the Act,

IT IS ORDERED as follows:

- (1) that the time for delivering to the Registrar of Companies for registration of Tullynevin Construction Limited dated 13 September 2007 over lands and premises known as Knockmackeegan, Newtownbutler, County Fermanagh, being all of the lands comprised in Folio FE79024 County Fermanagh, together with the prescribed particulars thereof be and the same is hereby extended to 10 November 2011;
- (2) that the applicant do deliver an office copy of this order to the Registrar of Companies;
- (3) that the registrar of companies shall not issue a conclusive certificate of registration in respect of the mortgage/charge until such time as the Registrar of Companies is satisfied that (1) no winding up or administration has commenced at the expiry of 28 days from the date of this order or (2) if a winding up or administration has commenced within 28 days from the date of this order no application has been made to vary or discharge this order by a liquidator or administrator within 56 days from the date of this order;
- (4) that this order is to be without prejudice to the rights of parties acquired during the period between the date of creation of the said Charge and the date of its actual registration

- (5) that the Company or any unsecured creditor of the Company be at liberty to apply to discharge this order within 28 days after:
- (i) the commencement of the voluntary winding up of the Company becoming effective on or before 10 November 2011, or,
 - (ii) any order made for the winding up of the Company on any petition presented on or before 10 November 2011

SCHEDULE

The Applicant by their solicitor hereby undertakes that in the case of a resolution for the winding up of Tullynevin Construction Limited ("the Company") becoming effective on or before 10 November 2011 or a petition for the winding up of the Company being presented on or before 10 November 2011 on which for the winding up shall be made and in case the Company by its liquidator or any unsecured creditor of the Company shall within 28 days after the commencement of such voluntary winding up or the date of such order (whichever shall be the later) apply to this Court to discharge this order, then the Applicant will submit to the jurisdiction of this Court and will abide by any order that this Court may make (in the case of the discharge of the present order) for rectification of the register of charges of the Company kept by the Registrar of Companies by the removal thereof of any registration effected by this present order

Leanne Butler
Proper Officer

Filed Date 21 October 2011



**FILE COPY
NI57824**

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

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

I HEREBY CERTIFY THAT A MORTGAGE AND CHARGE DATED THE 13 SEPTEMBER 2007 AND CREATED BY TULLYNEVIN CONSTRUCTION LIMITED FOR SECURING ALL MONEYS NOW DUE, OR HEREAFTER TO BECOME DUE, OR FROM TIME ACCRUING DUE FROM THE COMPANY TO ULSTER BANK LIMITED ON ANY ACCOUNT WHATSOEVER, WAS THIS DAY REGISTERED PURSUANT TO PART XIII OF THE COMPANIES (NORTHERN IRELAND) ORDER 1986 ON THE 10 SEPTEMBER 2011.

GIVEN UNDER MY HAND AT BELFAST, THIS THE 23
NOVEMBER 2011

**FOR THE REGISTRAR OF
COMPANIES HOUSE NORTHERN IRELAND**



Companies House
— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES

