

M

COMPANIES FORM No. 419b(Scot)

419b

CHFP025

Application for registration of a memorandum of fact that part of the property charged (a) has been released from the charge; (b) no longer forms part of the company's property

Please do not
write in
this margin

Pursuant to section 419(1) (a) of the Companies Act 1985

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

* insert full name
of company

To the Registrar of Companies
(Address overleaf)

For official use

Company number

1219

SC014456

Name of company

* WHYTE AND MACKAY LIMITED (the "Company")

I, JAMES FRANCIS HANLON

of 10 POLLOCK ROAD, BEARDSDEN, GLASGOW, DUNBARTONSHIRE G61 2A

~~(a director)~~ [the secretary] ~~(the liquidator)~~ [the receiver] [the administrator] † of the company, do solemnly and sincerely declare that the particulars overleaf relating to the charge and the fact that ALL of the property or undertaking charged ~~(ceased to form part of the company's property or undertaking)~~ [was released from the charge]† on 01/02/2005 are true to the best of my knowledge and belief.

† delete as
appropriate

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Declared at

Declarant sign below

Glasgow

J F Hanlon

on Day Month Year

01 02 2005

before me

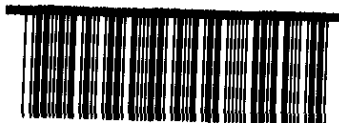
[Signature]

A Commissioner for Oaths or Notary Public or Justice of the Peace or Solicitor having the powers conferred on a Commissioner for Oaths

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

McGrigors
Pacific House
70 Wellington Street
Glasgow
G2 6SB

For official use
Charges Section



SCT 8A5PR3G6 1654
COMPANIES HOUSE 10/03/05

SCT 89HAU2PD 0111
COMPANIES HOUSE 11/02/05

Particulars of the charge to which the application overleaf refers

Please do not
write in
this margin

*Date of creation of the charge

23/10/07

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

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

STANDARD SECURITY

insert a description
of the instruments
creating or
evidencing the
charge eg
'Charge',
'Debenture' etc

Date or Registration *

8/11/07

* the date of
registration may
be confirmed from
the certificate

Short particulars of property no longer subject to the charge

- (1) THE SERVITUDE RIGHTS BEING THOSE MORE PARTICULARLY DESCRIBED IN THE DEED OF SERVITUDE BY THE SECRETARY OF STATE FOR SCOTLAND IN FAVOUR OF THE INVERGORDON DISTILLERS LIMITED RECORDED GRS BANK 28/07/1967.
- (2) ARE A OF GROUND LYING AT TOTINAVOLIN GLENLIVET EXTENDING TO 17.755 ACRES OR THEREBY.
- (3) AREA OF GROUND LYING IN THE PARISH OF INVERARON, BANK CONTAINING 39 POLES AND 20 SQUARE YARDS OR THEREBY.
- (4) IRREGULARLY SHAPED PIECE OF GROUND AT TOTINAVOLIN AFORESAID EXTENDING TO 0.402 HECTARE OR THEREBY.
- (5) AREA OF GROUND EXTENDING TO 0.176 ACRE OR THEREBY AT TOTINAVOLIN AFORESAID.
- (6) AREA OF GROUND EXTENDING TO 0.173 ACRE OR THEREBY AT TOTINAVOLIN AFORESAID.

Where a FLOATING CHARGE is being satisfied, the following Certificate MUST be completed:

CERTIFICATE

I

of

being [the creditor] [a person authorised to act on behalf of the creditor]† entitled to the benefits of the floating charge specified above certify that the particulars above relating to the charge and the release of part of the property charged are correct.

† delete as
appropriate

Signature _____ Date _____

Note

The address of the Registrar of Companies is:-

Companies House
37 Castle Terrace
Edinburgh
EH1 2EB

NOTE IN RELATION TO FORM 419b

A form 419a has also been submitted in respect of this charge. The Form 419a details that the debt for which the Charge was given has been satisfied in part. The reason for this is that, although the charge itself has been discharged in full, the debt was only partially repaid. This Form 419b has therefore been submitted to make it clear that the whole of the property and undertaking of the Company has been released from the Charge.