

MR01

Particulars of a charge



Companies House

A fee is payable with this form.
Please see 'How to pay' on the
last page.

You can use the WebFiling service to file this form online.
Please go to www.companieshouse.gov.uk

☒ **What this form is for**
You may use this form to register
a charge created or evidenced by
an instrument.

☒ **What this form is NOT for**
You may not use this form to
register a charge where there is no
instrument. Use form M1

For further information, please
refer to our guidance at:
www.companieshouse.gov.uk

This form must be delivered to the Registrar for registration
21 days beginning with the day after the date of creation of the
delivered outside of the 21 days it will be rejected unless it is acc
court order extending the time for delivery.



You must enclose a certified copy of the instrument with this for
scanned and placed on the public record. Do not send the original.



SCT 12/09/2014 #4
COMPANIES HOUSE

FRIDAY

1 Company details

Company number S C 0 5 7 7 0 9

Company name in full Stewart Milne Group Limited

149 For official use

→ Filling in this form
Please complete in typescript or in
bold black capitals.

All fields are mandatory unless
specified or indicated by *

2 Charge creation date

Charge creation date 0 5 0 9 2 0 1 4

3 Names of persons, security agents or trustees entitled to the charge

Please show the names of each of the persons, security agents or trustees
entitled to the charge.

Name The Dickinson Trust Limited as Executor of the late The Right
Honourable Weetman John Churchill, Viscount Cowdray of Cowdray

Name

Name



Name

If there are more than four names, please supply any four of these names then
tick the statement below.

☐ I confirm that there are more than four persons, security agents or
trustees entitled to the charge.

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4	Brief description Please give a short description of any land, ship, aircraft or intellectual property registered or required to be registered in the UK subject to a charge (which is not a floating charge) or fixed security included in the instrument. Brief description Ground at Crathes, Aberdeenshire, on the west side of the A957 and north of (but not adjacent to) the River Dee.	Please submit only a short description. If there are a number of plots of land, aircraft and/or ships, you should simply describe some of them in the text field and add a statement along the lines of, "for more details please refer to the instrument". Please limit the description to the available space.
5	Other charge or fixed security Does the instrument include a charge (which is not a floating charge) or fixed security over any tangible or intangible or (in Scotland) corporeal or incorporeal property not described above? Please tick the appropriate box. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
6	Floating charge Is the instrument expressed to contain a floating charge? Please tick the appropriate box. <input type="checkbox"/> Yes Continue <input checked="" type="checkbox"/> No Go to Section 7 Is the floating charge expressed to cover all the property and undertaking of the company? <input type="checkbox"/> Yes	
7	Negative Pledge Do any of the terms of the charge prohibit or restrict the company from creating further security that will rank equally with or ahead of the charge? Please tick the appropriate box. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
8	Trustee statement ¹ You may tick the box if the company named in Section 1 is acting as trustee of the property or undertaking which is the subject of the charge. <input type="checkbox"/>	¹ This statement may be filed after the registration of the charge (use form MR06).
9	Signature Please sign the form here. Signature  This form must be signed by a person with an interest in the charge.	

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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. The contact information you give will be visible to searchers of the public record.

Contact name MICHAEL LANGRIDGE

Company name BRODIES LLP

Address 15 ATHOLL CRESCENT

Post town EDINBURGH

County/Region

Postcode E H 3 8 H A

Country

DX DX ED 10

Telephone 0131 656 0138



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 a certified copy of the instrument with this form.
- ☐ You have entered the date on which the charge was created.
- ☐ You have shown the names of persons entitled to the charge.
- ☐ You have ticked any appropriate boxes in Sections 3, 5, 6, 7 & 8.
- ☐ You have given a description in Section 4, if appropriate.
- ☐ You have signed the form.
- ☐ You have enclosed the correct fee.
- ☐ Please do not send the original instrument; it must be a certified copy.



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 filed on paper.

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 or email 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

Aberdeen, 3 September 2014

Certified a true copy

James William Lyon Tach, Solicitor & Notary Public, Union Plaza (6th Floor),
1 Union Wynd, Aberdeen, AB10 1DQ

We, STEWART MILNE GROUP LIMITED, a company incorporated under the Companies Acts

(Registered Number SC057709) and having our Registered Office at Peregrine House, Mosscroft Avenue, Westhill Business Park, Westhill, Aberdeenshire, AB32 6TQ (herein called "the Grantor") HEREBY IN SECURITY of the obligation to pay the Second Instalment of TWO MILLION SIX HUNDRED AND SEVENTY ONE THOUSAND THREE HUNDRED AND EIGHTY ONE POUNDS (£2,671,381) Sterling and the Uplift Payment incumbent upon us in terms of the missives entered into between the Grantor and THE DICKINSON TRUST LIMITED, a company incorporated under the Companies Acts (Registered Number 00214811) and having their Registered Office formerly at Pollen House, 10/12 Cork Street, London and now at 4th Floor Swan House, Stratford Place, London, W1C 1BQ, as Executor-Nominate of the late The Right Honourable Weetman John Churchill, Viscount Cowdray of Cowdray in the County of Sussex (hereinafter referred to as "the Seller") constituted said missives by formal letters exchanged between Burness Paull LLP on behalf of the Grantor, and Brodies LLP on behalf of the Seller dated 28 February 2014 and 3 March 2014 ("the Missives") GRANT a Standard Security in favour of the Seller over ALL and WHOLE that area of ground at Crathes, Aberdeenshire on the west side of the A957 road and north of (but not adjacent to) the River Dee shown shaded brown and partly outlined in red and partly outlined in orange on the plan marked annexed and signed as relative hereto which area of ground forms part and portion of the lands and farms of Nethermills, Crathes and the lands of Mills of Drum in the Parishes of Banchory-Ternan and Drumoak more particularly described in, disposed by and shown within the boundaries outlined in red on the plan annexed and subscribed as relative to Disposition by Dame Sybil Aird Burnett of Leys and others as Trustees acting under the last Will and Testament and Codicils granted by Sir James Lauderdale Gilbert Burnett of Leys in favour of the said The Right Honourable Weetman John Churchill, Viscount Cowdray of Cowdray in the County of Sussex dated the Twenty eight and Twenty ninth days of May and Eleventh day of June and recorded in the Division of the General Register of Sasines for the County of Kincardine and by Memorandum in the Division of the General Register of Sasines for the County of Aberdeen on Twentieth June all in the year Nineteen hundred and fifty seven (the said area of ground being hereinafter referred to as the "Site"); Together with

by way of inclusion and not exception the whole parts, privileges and pertinents thereof and the Grantor's whole respective right, title and interest present and future in and to the Site; The Standard Conditions specified in Schedule 3 to the Conveyancing and Feudal Reform (Scotland) Act 1970 ("the Act") and any lawful variations thereof operative for the time being shall apply under declaration that the said Standard Conditions shall be varied to the effect specified in the Schedule of Variations of Standard Conditions annexed and executed as relative hereto; And the Grantor grants warrandice: IN WITNESS WHEREOF these presents typewritten on this and the preceding page, together with the Schedule and plan annexed hereto, are executed as follows:-

SUBSCRIBED for and on behalf of
the said STEWART MILNE GROUP LIMITED

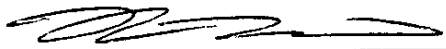
at Westhill, Aberdeenshire

on 1 SEPTEMBER 2014

by

JOHN SINCLAIR LOW

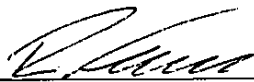
Print Full Name


Director/Authorised Signatory

before this witness

RICHARD ANDREW RAWLUS

Print Full Name


Witness

Address

C/O OSPREY HOUSE,

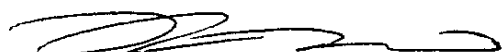
MOSSCROFT AVENUE,

WESTHILL, ABERDEEN

This is the Schedule of Variations referred to in the foregoing Standard Security granted by Stewart Milne Group Limited in favour of The Dickinson Trust Limited in relation to ground at Crathes, Aberdeenshire.

1. Standard Conditions 1, 2, 4, 5 and 6 shall be delete and shall not apply.
2. Condition 7 of the Standard Conditions shall apply as if references to "the standard conditions" therein are references to the Standard Conditions as varied hereby.
3. Notwithstanding the terms of Condition 12 of the Standard Conditions, the Seller shall be responsible for the expenses of recording of this Standard Security in the General Register of Sasines or registering the same in the Land Registers of Scotland.
4. The Grantor shall be entitled at any time during the continuance of the Standard Security to create a security or charge over the Site ranking subsequent to the Standard Security without any requirement to obtain the consent of the Seller.
5. The Grantor shall at any time during the continuance of the Standard Security be entitled to grant deeds of conditions, servitudes or other real rights in respect of the Site and that without any requirement to obtain the consent of the Seller, but provided always that in any deed of conditions there is uniformity in treatment of units between those units located or to be located on the Site and those units located or to be located on adjacent subjects owned by the Grantor.
6. The Grantor shall not be entitled to construct foundations or otherwise construct dwellinghouses on any part(s) of the Site that is subject to the Standard Security, but declaring for the avoidance of doubt that nothing herein shall prevent the carrying out of other works required for the development of the Site as a residential development, including ground works, works to install and provide services and the construction of access roads, landscaping and removal or importation of soil and ancillary works, including formation and use of site compound.
7. Each of the provisions of the Standard Security is severable and distinct from the others and if at any time one or more of such provisions is or becomes invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.
8. Words and expressions used in this Schedule shall unless the context otherwise requires have the same meanings as words and expressions in Schedule 3 of the Conveyancing and Feudal Reform (Scotland) Act 1970.
9. The headings in this Schedule are for guidance only and shall not affect the interpretation of the provisions hereof.

Director/Authorised Signatory





Stewart Milne Homes
Osprey House
Messcroft Avenue
Westhill Business Park
Aberdeen AB32 6JQ
Telephone (01224) 747000
Fax (01224) 747289

TITLE:

SECURITY PLAN

FOR:

PROPOSED RESIDENTIAL DEVELOPMENT
AT CRATHES, BANCHORY
ABERDEENSHIRE

drawn by:

LG

checked by:

NQ

date:

AUGUST 2014

scale:

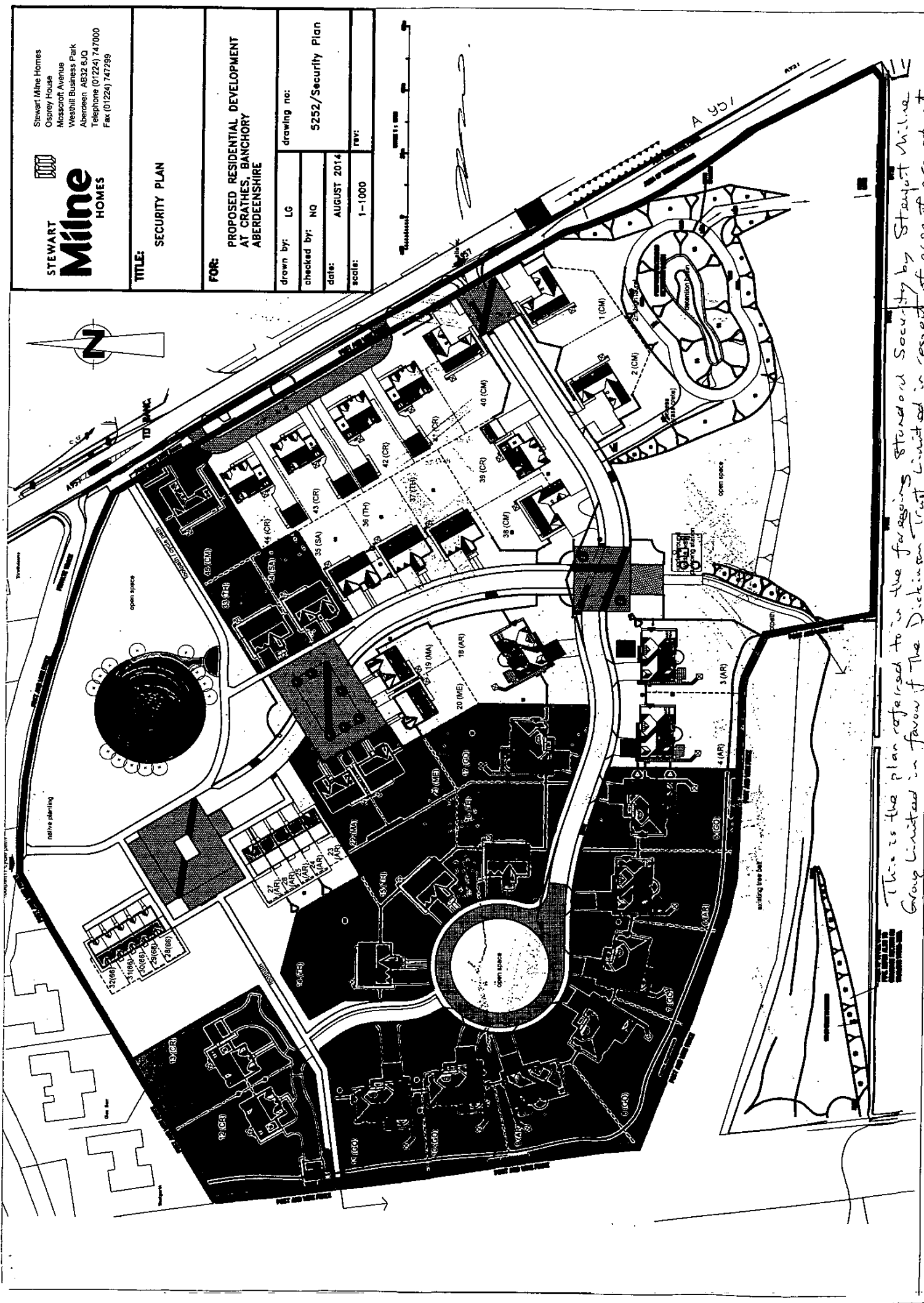
1-1000

drawing no:

5252/Security Plan

REV:

1-1000



This is the plan referred to in the foregoing Standard Security by Stewart Milne Group Limited in favour of the Dickman Trust Limited in respect of area of ground at



FILE COPY

CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company number: 57709

Charge code: SC05 7709 0149

The Registrar of Companies for Scotland hereby certifies that a charge dated 5th September 2014 and created by STEWART MILNE GROUP LIMITED was delivered pursuant to Chapter A1 Part 25 of the Companies Act 2006 on 12th September 2014.

Given at Companies House, Edinburgh on 17th September 2014



Companies House



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