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COMPANIES FORM No. 466(Scot)

# 466

## Particulars of an instrument of alteration to a floating charge created by a company registered in Scotland

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write in  
this margin

Pursuant to section 410 and 466 of the Companies Act 1985

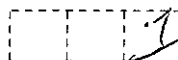
Please complete  
legibly, preferably  
in black type, or  
bold block lettering

\* insert full name  
of company

To the Registrar of Companies  
(Address overleaf - Note 5)

For official use

Company number



163960

Name of company

\* CLOVERLEAF HOTELS LIMITED

Date of creation of the charge (note 1)

9TH MAY 1996

Description of the instrument creating or evidencing the charge or of any ancillary document which has  
been altered (note 1)

FLOATING CHARGE

Names of the persons entitled to the charge

SCOTTISH &amp; NEWCASTLE PLC

Short particulars of all the property charged

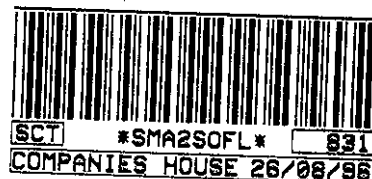
THE WHOLE PROPERTY (INCLUDING UNCALLED CAPITAL) AND UNDERTAKING OF  
THE COMPANY.

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

Morton Fraser Commercial  
18 York Place  
Edinburgh EH1 3EP

LEM/HJSH/C/1S CLO 776  
TEL: 0131 550 1100

For official use  
Charges Section



Names, and addresses of the persons who have executed the instrument of alteration (note 2)

1. Cloverleaf Hotels Limited, The Clover Leaf Hotel, ~~Kepplehills~~ Road, Bucksburn, Aberdeen.
2. The Royal Bank of Scotland plc, 36 St. Andrew Square, Edinburgh.
3. Scottish & Newcastle plc, Abbey Brewery, Holyrood Road, Edinburgh.

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legibly, preferably  
in black type, or  
bold block lettering*

Date(s) of execution of the instrument of alteration

20TH MAY, 9TH JULY AND 19TH AUGUST 1996.

A statement of the provisions, if any, imposed by the instrument of alteration prohibiting or restricting the creation by the company of any fixed security or any other floating charge having, priority over, or ranking pari passu with the floating charge

NONE

Short particulars of any property released from the floating charge

NONE

The amount, if any, by which the amount secured by the floating charge has been increased

NONE

A statement of the provisions, if any, imposed by the instrument of alteration varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges

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legibly, preferably  
in black type, or  
bold block lettering***

SEE SCHEDULE ATTACHED

Continued Over

Continuation of the statement of the provisions, if any, imposed by the instrument of alteration varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges

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bold block lettering***

Signed \_\_\_\_\_ Date \_\_\_\_\_

On behalf of ~~[company]~~ [chargee]†

† delete as  
appropriate

### Notes

1. A description of the instrument e.g. "Instrument of Charge" "Debenture" etc as the case may be, should be given. For the date of creation of a charge see section 410(5) of the Companies Act.
2. In accordance with section 466(1) the instrument of alteration should be executed by the company, the holder of the charge and the holder of any other charge (including a fixed security) which would be adversely affected by the alteration.
3. A certified copy of the instrument of alteration, together with this form with the prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of execution of that instrument.
4. A certified copy must be signed by or on behalf of the person giving the certification and where this is a body corporate it must be signed by an officer of that body.
5. The address of the Registrar of Companies is:-  
Companies Registration Office, 37 Castle Terrace, Edinburgh EH1 2EB

1. The Standard Security granted by the Company in favour of The Royal Bank of Scotland plc ("the Bank") over the subjects known as The Clover Leaf Hotel, Kepplehills Road, Bucksburn, Aberdeen (the "security subjects") dated 9th May 1996 and registered or about to be registered in the Land Register of Scotland under title number ABN628 to the extent of £375,000 (representing £350,000 of joint trade loan and other banking facilities of £25,000) with one years interest thereon and expenses, such sum of principal reducing in line with the repayments/prepayments of the joint trade loan ("the Bank's first security limit").
2. Standard Security granted by the Company in favour of Scottish & Newcastle plc ("S&N") over the security subjects dated 9th May 1996 and registered or about to be registered in the Land Register of Scotland under title number ABN628 to the extent of £90,000 in principal with one years interest thereon and expenses ("S&N's first security limit").
3. The said Standard Security in favour of the Bank to the extent of £25,000 with one years interest thereon and expenses ("the Bank's second security limit").
4. The said Standard Security in favour of the Bank and the said Standard Security in favour of S&N for any further sums due or to become due by the Company in favour of the Bank and S&N to the effect that 70% is payable to the Bank up to the level of all other sums due to the said Bank over and above the Bank's first security limit and the Bank's second security limit and 30% is payable to S&N up to the level of all other sums due to S&N over and above S&N's first security limit and if the foregoing apportionment does not exhaust the entitlement of either the Bank or S&N the unexhausted balance of the entitlement shall be applied towards repaying the Bank or S&N as the case may be.
5. Floating Charge granted by the Company in favour of the Bank dated 9th May 1996 and registered with the Registrar of Companies on 21st May 1996 to the extent that the sums recoverable thereby do not exceed the Bank's first security limit.
6. The Floating Charge granted by the Company in favour of S&N dated 9th May 1996 and registered with the Registrar of Companies on 15th May 1996 to the extent that the sums thereby recovered do not exceed S&N's first security limit.
7. The said Floating Charge in favour of the Bank but so that the sums thereby recovered do not exceed the Bank's second security limit.
8. The Bank Floating Charge and the S&N Floating Charge for all of the sums due to become due by the Company to the Bank or S&N respectively to the effect that 70% is payable to the Bank up to the level of all other sums due to the said Bank over and above the Bank's first security limit and the Bank's second security limit and 30% is payable to S&N up to the level of all other sums due to S&N over and above S&N's first security limit and if the foregoing apportionment does not exhaust the entitlement of either the Bank or S&N the unexhausted balance of the entitlement should only apply towards repaying the Bank or S&N as the case may be.



**CERTIFICATE OF THE REGISTRATION OF  
AN ALTERATION TO A FLOATING CHARGE**

Company number 163960

I hereby certify that particulars of an instrument of alteration dated  
19 AUGUST 1996

was delivered pursuant to section 410 of the Companies Act, 1985,  
on 26 AUGUST 1996.

The instrument relates to a charge created on 9 MAY 1996

by CLOVERLEAF HOTELS LIMITED

in favour of SCOTTISH & NEWCASTLE PLC

for securing ALL SUMS DUE, OR TO BECOME DUE

Signed at Edinburgh  
27 AUGUST 1996

R. Graham  
For Registrar of Companies



N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

# REGISTER of Charges, Alterations to Charges,

COMPANY: SC163960 CHARGE: 1

(1) Date of Registration	(2) Serial Number of Document on File	(3) Date of Creation of each Charge and Description thereof	(4) Date of the aquisition of the Property	(5) Amount secured by the Charge  £	(6) Short Particulars of the Property Charged	(7) Names of the Persons entitled to the Charge
15/05/1996		9/ 5/96 FLOATING CHARGE		ALL SUMS DUE, OR TO BECOME DUE	UNDERTAKING AND ALL PROPERTY AND ASSETS PRESENT AND FUTURE OF THE COMPANY INCLUDING UNCALLED CAPITAL	SCOTTISH & NEWCASTLE PLC

# Memoranda of Satisfaction and Appointments etc. of Receivers

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

COMPANY: SC163960 CHARGE: 1

(8)	(9)	(10)	(11)	(12)		
In the case of a floating charge, a statement of the provisions, if any, prohibiting or restricting the creation by the company of any fixed security or any other floating charge having priority over, or ranking <i>pari passu</i> with the floating charge.	In the case of a floating charge, a statement of the provisions if any regulating the order in which the floating charge shall rank with any other subsisting or future floating charges or fixed securities over the property the subject of the floating charge or any part of it.	Amount or rate per cent of the Commission Allowance or discount	Memoranda of Satisfaction	Receiver		
				Name	Date of Appointment	Date of Ceasing to act
COMPANY ARE EXPRESSLY PROHIBITED FROM CREATING SUBSEQUENT FIXED SECURITY HAVING PRIORITY OVER OR RANKING EQUALLY WITH THE FLOATING CHARGE						



N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

COMPANY: SC163960 CHARGE: 1

Instruments of Alteration to a Floating Charge					
(13) Date of Execution	(14) Names of the persons who have executed the instrument	(15) The provisions, if any, prohibiting or restricting the creation by the Company of any fixed security or any other floating charge having priority over, or ranking <i>pari passu</i> with, the floating charge.	(16) The provisions, if any, varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges.	(17) Short particulars of any property released from the floating charge	(18) The amount, if any, by which the amount secured by the floating charge has been increased.  £
20/05/96 09/07/96 19/08/96	SCOTTISH & NEWCASTLE PLC THE ROYAL BANK OF SCOTLAND plc CLOVERLEAF HOTELS LIMITED		SEE CH MICROFICHE		