

M

CHFP041

Please do not
write in
this margin

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

* insert full name
of company

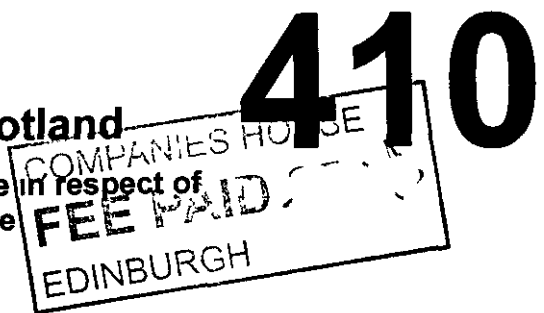
If there is not enough
space on this form
you may use the
prescribed
continuation sheet
410cs

COMPANIES FORM No. 410(Scot)

Particulars of a charge created by a company registered in Scotland

A fee of £13 is payable to Companies House in respect of
each register entry for a mortgage or charge

Pursuant to section 410 of the Companies Act 1985



To the Registrar of Companies
(Address overleaf Note 6)

For official use

Company number

☐ ☐ ☒

SC220297

Name of company

* Dumfries and Galloway Housing Partnership Limited ("the Chargor")

Date of creation of the charge (note 1)

10 October 2008

Description of the instrument (if any) creating or evidencing the charge (note 1)

Bond and Floating Charge ("the Instrument")

Amount secured by the charge

See Paper Apart.

Names and addresses of the persons entitled to the charge

Dexia Credit Local, London Branch
Shackleton House
4 Battle Bridge Lane
London
SE1 2RS
in its capacity as Security Agent ("the Security Agent")

Presenter's name, address, telephone
number and reference (if any)

Dundas & Wilson CS LLP
Saltire Court
20 Castle Terrace
Edinburgh EH1 2EN

For official use (02/2006)

Charges Section

Post room

THURSDAY



SCT 16/10/2008 528
COMPANIES HOUSE

Short particulars of all the property charged

The whole of the property, assets and undertaking of the Chargor ("the Charged Assets")

Please do not write in this margin

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

If there is not enough space on this form you may use the prescribed continuation sheet 410cs

Statement, in the case of a floating charge, as to any restrictions on power to grant further securities and any ranking provision (note 2)

The Instrument provides that -

(1) the Instrument shall, subject to section 464 of the Companies Act 1985, rank in priority to any Fixed Security (other than any Fixed Security granted by the Chargor in favour of the Security Agent which shall rank in priority to the Instrument) and to any other floating charge, and
(11) the Chargor shall not, without the prior written consent of the Security Agent, create or permit to exist any Fixed Security or floating charge over all or any part of the Charged Assets which ranks in priority to or equally with the Instrument except for any Fixed Security or floating charge granted by the Chargor in favour of the Security Agent⁺.

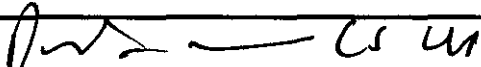
"Fixed Security" has the meaning given to it in section 486 of the Companies Act 1985

Particulars as to commission, allowance or discount paid (see section 413(3))

None

A fee is payable to Companies House in respect of each register entry for a mortgage or charge. (See Note 5)

Signed



Date

15/10/08

On behalf of ~~company~~ [chargee] [†]

Notes

1 A description of the instrument e.g. "Standard Security" "Floating Charge" etc, should be given. For the date of creation of a charge see section 410(5) of the Act (Examples: date of signing of an Instrument of Charge, date of recording/registration of a Standard Security, date of intimation of an Assignment)

[†] delete as appropriate

2 In the case of a floating charge a statement should be given of (1) the restrictions, if any, on the power of the company to grant further securities ranking in priority to, or pari passu with the floating charge, and/ or (2) 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 which is the subject of the floating charge or any part of it

3 A certified copy of the instrument, if any, creating or evidencing the charge, 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 the creation of the charge. In the case of a charge created out of the United Kingdom comprising property situated outside the U.K., within 21 days after the date on which the copy of the instrument creating it could, in due course of post, and if despatched with due diligence, have been received in the U.K. Certified copies of any other documents relevant to the charge should also be delivered

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 A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge. Cheques and Postal Orders are to be made payable to **Companies House**

6 The address of the Registrar of Companies is: Companies House, 37 Castle Terrace, Edinburgh EH1 2EB
DX 235 Edinburgh or LP-4 Edinburgh 2

This is the Paper Apart referred to in the foregoing Form 410 in relation to the Bond and Floating Charge dated 10 October 2008 ("the Instrument") made between Dumfries and Galloway Housing Partnership Limited ("the Chargor") and Dexia Credit Local, London Branch ("the Security Agent").

1. Amount Secured by the charge

All present and future liabilities and obligations (whether actual or contingent and whether owed jointly or severally or in any other capacity whatsoever) which now or hereafter may be or become due and owing by the Chargor to any Finance Party under each of the Finance Documents excluding the Outstanding Secured Amounts

2. Definitions:

Existing Security means all or any of the Security Documents

Facility Agreement means a facility agreement dated 10 April 2003 as (1) amended on 1 March 2007; (2) novated on 4 December 2007; (3) amended and restated by an amendment and restatement agreement dated on or around the date of the Instrument and made among the Chargor as borrower, Dexia Credit Local, London Branch as Arranger, as the Original Lender, as the Facility Agent and as Security Agent, and (4) as further supplemented, amended, extended, renewed, restated, novated or varied from time to time

Finance Party has the meaning ascribed to it in the Facility Agreement

Finance Document has the meaning ascribed to it in the Facility Agreement

Outstanding Secured Amounts means all monies duly and properly secured by the Existing Security

Security Documents has the meaning ascribed to it in the Facility Agreement.



FILE COPY

**CERTIFICATE OF THE REGISTRATION
OF A CHARGE**

COMPANY NO 220297
CHARGE NO. 4

I HEREBY CERTIFY THAT A CHARGE CREATED BY DUMFRIES
AND GALLOWAY HOUSING PARTNERSHIP LIMITED

ON 10 OCTOBER 2008

FOR SECURING ALL SUMS DUE OR TO BECOME DUE

IN FAVOUR OF DEXIA CREDIT LOCAL, LONDON BRANCH

WAS DELIVERED PURSUANT TO SECTION 410 OF THE
COMPANIES ACT 1985 ON 16 OCTOBER 2008

GIVEN AT COMPANIES HOUSE, EDINBURGH 17 OCTOBER 2008



Companies House
— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES