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Particulars of a mortgage or charge

395

Please do not
write in
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Pursuant to section 395 of the Companies Act 1985
(Address overleaf - Note 5)

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

To the Registrar of Companies

For official use

Company number

5

139649

Name of company

* insert full name
of company

* Hastings Printing Company Limited ("the Company")

Date of creation of the charge

1st August 1995

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

Chattel Mortgage ("the Mortgage")

Amount secured by mortgage or charge

All money and liabilities (including further advances made after the date of the Mortgage by Lloyds Bank Plc ("the Bank") and secured directly or indirectly by the Mortgage) whether certain or contingent which then were or at any time thereafter may be due owing or incurred by the Company to the Bank anywhere or for which the Company may be or become liable to the Bank on any current or other account or in any manner whatever (and whether alone or jointly with any other person and in whatever style, name or form and whether as principal or surety) together with interest to date of payment at such rate as may from time to time be agreed between the Bank and the Company in writing or, in the absence of such agreement, at the rate of 3 % above the Bank's base rate for the time being in force in respect of any such money or liabilities denominated in sterling and 3 % above the Bank's cost (as certified by the Bank) from time to time of obtaining the relevant currency in respect of any such money or liabilities denominated in a currency (see Continuation Sheet No. 1)

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

Lloyds Bank Plc

71 Lombard Street

London

Postcode

EC3P 3BS

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

Wragge & Co
55 Colmore Row
Birmingham
B3 2AS
Tel: 021 233 1000
Ref: 12063/995/JCP/KDJ

Time critical reference

For official Use
Mortgage Section

Post room



Please do not
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this margin

Please complete
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in black type, or
bold block lettering

FIRSTLY: The plant, machinery, chattels or other equipment described in the Schedule below together with, all additions alterations accessories replacements and renewals from time to time thereto and any component parts thereof from time to time held by the Company (whether or not attached thereto) (hereinafter together called "the Mortgaged Chattels" which expression shall include all or any part thereof);

SECONDLY: The benefit of any guarantee, warranty, or other obligation in relation to the Mortgaged Chattels given or incurred by any manufacturer, supplier or other person and the benefit so far as enjoyed by the Company of all agreements for the maintenance, repair or upkeep of the Mortgaged Chattels;

THIRDLY: The benefit of all agreements at or after the date of the Mortgage entered into by the Company or the benefit of which is otherwise vested in the Company for the bailment or (in Scotland) the hiring of the Mortgaged Chattels and all agreements at or after the date of the Mortgage entered into under which the Mortgaged Chattels are bailed or (in Scotland) hired on hire purchase or sold under a conditional sale agreement or other instalment credit agreement and all sums at or after the date of (see Continuation Sheet No. 2)

Particulars as to commission allowance or discount (note 3)

NIL

Signed *(Wage + Co)*

Date *3.8.95*

Secretary for and

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

† delete as
appropriate

NOTES

- 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 (section 395). 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 (section 398). 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 (section 398) 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 section 398(4) applies (property situate in Scotland or Northern Ireland) and Form No. 398 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 section 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.
- 5 The address of the Registrar of companies is:- Companies House, PO BOX 716, Crown Way, Maindy, Cardiff CF4 3YA

395 PARTICULARS OF A MORTGAGE OR CHARGE

CONTINUATION SHEET NO. 1

Amount secured by the mortgage or charge (continued)

other than sterling and commission and other banking charges and any legal or other costs, charges and expenses incurred by the Bank in relation to the Mortgage or in enforcing the security thereby created on a full and unqualified indemnity basis including (without prejudice to the generality of the foregoing) costs incurred or suffered by the Bank as a result of an application under Section 15 of the Insolvency Act 1986 and costs incurred or suffered by the Bank in defending proceedings brought by any third party impugning the Bank's title to the security created by the Mortgage or the enforcement or exercise of the Bank's rights and remedies thereunder.

395 PARTICULARS OF A MORTGAGE OR CHARGE

CONTINUATION SHEET NO. 2

Short particulars of all the property mortgaged or charged (continued)

the Mortgage due under any such agreement and the full benefit of any such agreement.

FOURTHLY: All copyrights, patents, trademarks, service marks, brand names, inventions, design rights, know-how and other intellectual property rights in or relating to the Mortgaged Chattels or licences to use the same whether registered or unregistered and the benefit of any pending applications for the same and all benefits deriving therefrom including but not limited to royalties, fees, profit sharing agreements and income arising therefrom now or at any time after the date of the Mortgage held by or belonging to the Company together with the licence (if any) to use particular software or computer programmes in relation to the Mortgaged Chattels;

FIFTHLY: The full benefit of the Company's rights and interests (if any) in and to all insurance effected by the Company or by any other person of the Mortgaged Chattels or the use thereof.

The expression "Mortgaged Property" means the Mortgaged Chattels and all other rights and benefits Secondly, Thirdly, Fourthly and Fifthly described above and references to the Mortgaged Property include references to any part of it.

The mortgages created by the Mortgage are as regards the Mortgaged Property, Firstly, Secondly, Thirdly, Fourthly and Fifthly described fixed first mortgages and if the Mortgage or any part or parts thereof shall for any reason be ineffective as a fixed mortgage the Mortgage or such part or parts shall operate as a floating charge.

The Company shall not without the consent in writing of the Bank:

- (a) sell, assign, hire, lease or part with or share possession or otherwise dispose of the Mortgaged Property, or agree to do any such thing, or permit or suffer any distress or execution to be levied upon the Mortgaged Property;
- (b) create or permit to subsist or arise any mortgage, debenture, hypothecation, charge, assignment by way of security, pledge or lien or any other encumbrance or security whatsoever (save a lien arising by operation of law in the ordinary course of business) upon the Mortgaged Property; or
- (c) make or suffer to be made any alteration or addition of a substantial nature in or to the Mortgaged Property other than for the purpose of effecting repair as mentioned in the Mortgage.

THE SCHEDULE

Description of the plant, machinery and other equipment mortgaged

Scanning Room

Dainippon Screen type SG-608 colour separation scanner, number 85060-7079

Typesetting Room

Linotype Linotronic 300 online photo image setter, number 81056329

Finishing Area

Polar Mohr Eltromat model 115CE programmatic guillotine paper cutting machine, number 4732164

Printing Department

Miller TP36 25.3/8 inch x 36.25 inch automatic two colour/perfector offset lithographic printing machine number 17882

Miller type TP94 automatic four colour/2 + 2 perfecting offset lithographic printing machine, number 20647-62690030

Heidelberg 18 inch x 25.25 inch Offset Letterset single colour printing machine, number KORD347143

Komori Sprint type L-425BP four colour offset lithographic printing machine number 310

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CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

Pursuant to section 401(2) of the Companies Act 1985

COMPANY No. 00139649

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A CHATTEL MORTGAGE DATED THE 1st AUGUST 1995 AND CREATED BY HASTINGS PRINTING COMPANY LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO LLOYDS BANK PLC ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 4th AUGUST 1995.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 8th AUGUST 1995.

Peter C Nash

PETER C NASH

for the Registrar of Companies

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C O M P A N I E S H O U S E

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