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\*insert full name  
of company

## COMPANIES FORM No. 395

### Particulars of a mortgage or charge

# 395

Pursuant to section 395 of the Companies Act 1985

To the Registrar of Companies

For official use

Company number

12. [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]

174692

Name of company

\* The Wigan Football Club Limited ("the Club")

Date of creation of the charge

18 March 1997

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

Legal Charge ("the Legal Charge")

Amount secured by the mortgage or charge

The sum of £1,500,000 advanced to the Club under a contract for sale dated 27 February 1997 between the Club (1) and Tesco Stores Limited ("Tesco") (2) ("the Sale Agreement") and all other sums due owing or incurred to Tesco Stores Limited ("Tesco") under the Legal Charge and any rights and powers of Tesco arising pursuant to its terms ("Security") including all sums at any time expended or otherwise incurred by Tesco or any receiver or receivers appointed by Tesco (including any substitute receiver) pursuant to the Security ("Tesco Receiver") arising from any breach of an obligation by the Club or otherwise in the maintenance, preservation or enforcement of the Security, and any fees payable to any Tesco Receiver and all value added tax and also interest on all such sums provided in the Legal Charge and the performance of the Club's obligations under the Sale Agreement

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

Tesco Stores Limited (company registration number 519500) whose registered office is at Tesco House, Delamare Road, Cheshunt, Waltham Cross, Hertfordshire EN8 9SL

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

Berwin Leighton  
Adelaide House  
London Bridge  
EC4R 9HA

JHMN/T34/9107

Time critical reference

For official use  
Mortgage Section

Post room



KLO \*KBRP7UJV\* 2600  
COMPANIES HOUSE 03/04/97

Short particulars of all the property mortgaged or charged

Charged by way of legal mortgage subject only to the Prior Charge the property described in the Sale Agreement and any part thereof and all buildings and other fixtures now or from time to time thereon being the freehold land and premises at Central Park, Wigan known as Wigan Rugby Football Club Ground together with the benefit of all easements and other rights now or from time to time benefitting it ("the Property")

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The following words are described in the Legal Charge as follows:

"Prior Charge"

memorandum of deposit dated 16th March 1972 with National Westminster Bank Plc (formerly National Westminster Bank limited) ("the Bank"), a legal mortgage over part of the Property dated 9th March 1981 to the Bank, a legal mortgage over a further part of the Property dated 9th March 1981 to the Bank, a debenture by way of floating security over the Clubs undertaking and all its other property and assets and rights whatsoever and wheresoever present and future dated 27th April 1983 to the Bank and a deed poll dated 21st August 1995 for securing £112,000 5% Debenture Stock 2005 and all other monies due to the stockholders for the time being entered into the register maintained by the company as holders of these stocks creating a floating charge on the undertaking property and assets of the company both present and future including any uncalled capital

Particulars as to commission allowance or discount (note 3)

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Signed

*Benson Heighan*

Date 2 April 1997

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

† delete as appropriate

- 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.

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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. 00174692

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL CHARGE DATED THE 18th MARCH 1997 AND CREATED BY WIGAN FOOTBALL CLUB LIMITED(THE) FOR SECURING £1,500,000 AND ALL OTHER SUMS DUE OR TO BECOME DUE FROM THE COMPANY TO TESCO STORES LIMITED UNDER THE TERMS OF A CONTRACT OF SALE DATED 27/2/97 WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 3rd APRIL 1997.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 8th APRIL 1997.

A handwritten signature in cursive script, appearing to read 'R.L. Adams'.

R.L. ADAMS

for the Registrar of Companies



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

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