



Registration of a Charge

Company name: **SHELL PROPERTY COMPANY LIMITED**

Company number: **00326974**



X98QJT2H

Received for Electronic Filing: **06/07/2020**

Details of Charge

Date of creation: **25/06/2020**

Charge code: **0032 6974 0001**

Persons entitled: **ABERDEEN CITY COUNCIL**

Brief description: **THE SUBJECTS ARE ALL AND WHOLE THOSE SUBJECTS ON THE EAST SIDE OF WELLINGTON ROAD, TULLOS, ABERDEEN AS SHOWN DELINEATED IN RED ON THE PLAN AND WHICH SUBJECTS COMPRISE (IN THE FIRST PLACE) PART AND PORTION OF ALL AND WHOLE THE LANDS OF CRAIGSHAW AND OTHERS IN THE CITY OF ABERDEEN AND COUNTY OF KINCARDINE ALL AS MORE PARTICULARLY DESCRIBED IN AND DISPONED BY THE DISPOSITION GRANTED BY THE TRUSTEES OF ALEXANDER DAVIDSON OF BALNAGASK IN FAVOUR OF THE TRUSTEES OF JAMES MOLISON DATED 9, 12 AND 18 AND RECORDED IN THE DIVISION OF THE GENERAL REGISTER OF SASINES APPLICABLE TO THE COUNTY OF KINCARDINE ON 19, ALL DAYS OF APRIL 1870; AND (IN THE SECOND PLACE) PART AND PORTION OF ALL AND WHOLE THE LANDS OF TULLOS AND OTHERS IN THE COUNTY OF KINCARDINE MORE PARTICULARLY DESCRIBED IN AND DISPONED BY THE DISPOSITION GRANTED BY THE TESTAMENTARY TRUSTEE OF THE LATE GEORGE GAVIN MORRICE AND ANOTHER IN FAVOUR OF THE LORD PROVOST MAGISTRATES AND TOWN COUNCIL OF THE CITY AND ROYAL BURGH OF ABERDEEN DATED 16 AND RECORDED IN THE SAID DIVISION OF THE GENERAL REGISTER OF SASINES ON 21 BOTH DAYS OF MAY 1938.**

Contains negative pledge.

Authentication of Form

This form was authorised by: **a person with an interest in the registration of the charge.**

Authentication of Instrument

Certification statement: **I CERTIFY THAT SAVE FOR MATERIAL REDACTED PURSUANT TO S.859G OF THE COMPANIES ACT 2006 THE ELECTRONIC COPY INSTRUMENT DELIVERED AS PART OF THIS APPLICATION FOR REGISTRATION IS A CORRECT COPY OF THE ORIGINAL INSTRUMENT.**

Certified by: **DWF LLP**



CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company number: 326974

Charge code: 0032 6974 0001

The Registrar of Companies for England and Wales hereby certifies that a charge dated 25th June 2020 and created by SHELL PROPERTY COMPANY LIMITED was delivered pursuant to Chapter A1 Part 25 of the Companies Act 2006 on 6th July 2020 .

Given at Companies House, Cardiff on 7th July 2020

The above information was communicated by electronic means and authenticated by the Registrar of Companies under section 1115 of the Companies Act 2006



Companies House



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES

STANDARD SECURITY
by
SHELL PROPERTY COMPANY LIMITED
in favour of
ABERDEEN CITY COUNCIL

Property: Subjects at Tullos

**Brodies LLP
110 Queen Street
Glasgow G1 3BX
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Ref: RICS/CNMA/SHE236.10
FAS 0468/5569
2020**

We, **SHELL PROPERTY COMPANY LIMITED**, incorporated under the Companies Acts (Registered Number 00326974) and having its Registered Office at Shell Centre, London, SE1 7NA ("**the Purchaser**") DO HEREBY IN SECURITY OF the whole obligations *ad factum praestandum* undertaken by us, our liabilities and others due and that may become due (including for the avoidance of doubt any sums that become due) (collectively "**the Secured Obligations**") by ourselves the Purchaser to **ABERDEEN CITY COUNCIL**, having its Principal Office at Marischal College, 2nd Floor South, Broad Street, Aberdeen, AB10 1AB ("**the Seller**") in terms of, or arising from the Overage Agreement between ourselves and the Seller dated on or about the date hereof 2020 "**the Agreement**" and which expression shall include any amendments, variations, supplements or novations thereof or thereby), we do hereby GRANT in favour of the Seller a Standard Security over ALL and WHOLE ALL and WHOLE those subjects on the east side of Wellington Road, Tullos, Aberdeen as shown delineated in red on the Plan annexed and executed as relative hereto and which subjects comprise (IN THE FIRST PLACE) part and portion of ALL and WHOLE the lands of Craigshaw and others in the City of Aberdeen and County of Kincardine all as more particularly described in and disposed by the Disposition granted by the Trustees of Alexander Davidson of Balnagask in favour of the Trustees of James Molison dated 9, 12 and 18 and recorded in the Division of the General Register of Sasines applicable to the County of Kincardine on 19, all days of April 1870; and (IN THE SECOND PLACE) part and portion of ALL and WHOLE the lands of Tullos and others in the County of Kincardine more particularly described in and disposed by the Disposition granted by the Testamentary Trustee of the late George Gavin Morrice and another in favour of the Lord Provost Magistrates and Town Council of the City and Royal Burgh of Aberdeen dated 16 and recorded in the said Division of the General Register of Sasines on 21 both days of May 1938 ("**the Security Subjects**"); The Standard Conditions specified in Schedule 3 to the Conveyancing and Feudal Reform (Scotland) Act 1970 and any lawful variation thereof operative for the time being shall apply; And we agree that the Standard Conditions shall be varied in accordance with the Agreement and the following provisions:

- 1 the Purchaser shall:
 - 1.1 not until the Secured Obligations have been satisfied, implemented or paid in full, create nor purport, nor attempt to create nor permit to be created any mortgage, charge, lien (other than a lien arising automatically by operation of law) right of set-off or other security interest or encumbrance over the Security Subjects, nor create nor purport to attempt to create nor permit to subsist any floating charge or debenture over all or any of the assets of the Purchaser except in accordance with the terms of the Agreement;
 - 1.2 not create nor agree to create a subsequent standard security over the Secured Subjects or any part thereof except with our consent such consent not to be unreasonably withheld or a decision thereon unreasonably delayed;
 - 1.3 not be entitled to redeem this Standard Security until the Secured Obligations have been satisfied, implemented or paid in full;
 - 1.4 satisfy, implement and pay the Secured Obligations.

- 2 Standard Conditions 1, 2, 4(c), 5, 6 and 12 are delete and do not apply.
- 3 Standard Condition 9(1)(b) shall be deleted and substituted by the following:
- "where there has been a failure to comply with any requirement arising out of the security or any breach or non-observance or non-implementation by the Purchaser of the Secured Obligations."
- 4 The Purchaser is entitled, without the consent of the Seller,
- 5 The undertakings and obligations on the part of the Purchaser contained in this Standard Security shall be in addition to and not in substitution for the undertakings and obligations on the part of the Purchaser contained in the Agreement.
- 6 The Purchaser agrees that in the event of any default under the Standard Security a warrant of summary ejection may competently proceed against the Purchaser.
- 7 For the purposes of this Standard Security any reference to the Security Subjects shall include a reference to any part or parts thereof and where there is any conflict between the Standard Conditions and the terms of the Standard Security and the Agreement the Standard Security and the Agreement shall prevail and shall have effect in preference to the standard conditions.
- 8 The Seller shall grant and deliver a discharge of this Standard Security on the Release Date in accordance with the terms of the Agreement.

And we, the Purchaser, grant warrandice but excepting therefrom the leases and other rights of occupation to which the Security Subjects are currently subject and we consent to registration for preservation and execution: IN WITNESS WHEREOF this Standard Security is executed as follows:

For the Purchaser



signature of witness

PHILIP MORRIS
full name of above (print)



address of witness



signature of authorised signatory

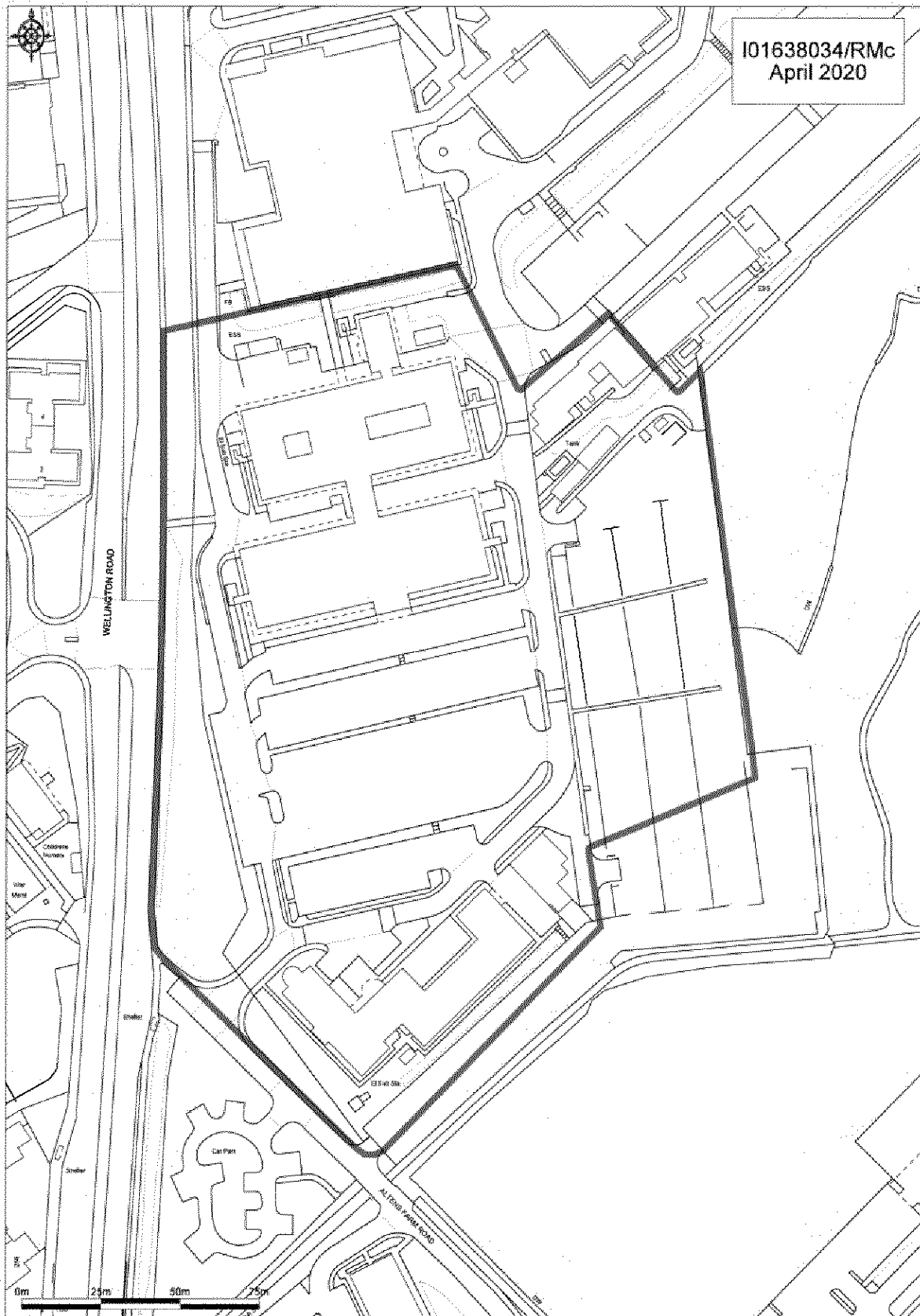
ROISIN MORRIS
full name of above (print)

29/5/2020
date of signing

LONDON
place of signing

This is the Plan referred to in the foregoing Standard Security by Shell Property Company Limited in favour of Aberdeen City Council

ALTENS FARM ROAD
EAST TULLOS INDUSTRIAL ESTATE
ABERDEEN & OTHER



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SPCL