

MG01

Particulars of a mortgage or charge

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LASERFORM

A fee is payable with this form

We will not accept this form unless you send the correct fee
Please see 'How to pay' on the last page



What this form is for

You may use this form to register
particulars of a mortgage or charge
in England and Wales or Northern
Ireland



What this form is NOT for

You cannot use this form to
register particulars of a charge for
company. To do this, please
use form MG01s

TUESDAY



A04

AXIWDI5L

09/03/2010

185

COMPANIES HOUSE

1

Company details

Company number

0 4 5 8 4 6 9 4

Company name in full

THE ALNWICK GARDEN TRUST ("the Charity")

3

For official use

→ Filling in this form

Please complete in typescript or in
bold black capitals

All fields are mandatory unless
specified or indicated by *

2

Date of creation of charge

Date of creation

d0 d4 m0 m3 y2 y0 y1 y0

3

Description

Please give a description of the instrument (if any) creating or evidencing the
charge, e.g. 'Trust Deed', 'Debenture', 'Mortgage', or 'Legal charge'

Description

Legal Charge ("the Charge")

4

Amount secured

Please give us details of the amount secured by the mortgage or charge

Amount secured

(1) All the Charity's obligations and liabilities
to the Lender of any kind under the Loan Agreement.
(2) The Expenses
(3) Interest on the obligations and liabilities to
the Lender covenanted to be discharged and/or paid
by the Charity under paragraphs (1) and (2) above
from the date on which the Charity has agreed to
pay Interest on them or, if there is no such
agreement, from the date on which they become due,
(together "the Obligations")

All definitions are given on the continuation
sheet

Continuation page

Please use a continuation page if
you need to enter more details

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5 Mortgagee(s) or person(s) entitled to the charge (if any)

Please give the name and address of the mortgagee(s) or person(s) entitled to the charge		Continuation page Please use a continuation page if you need to enter more details
Name	The Most Noble Ralph George Algernon 12th Duke of	
Address	Northumberland, Blagdon Estate Office, Seaton Burn,	
	Newcastle upon Tyne	
Postcode	N E 1 3 6 D D	
Name	The Most Noble Richard Walter John 10th Duke of Buccleuch	
Address	Blagdon Estate Office, Seaton Burn,	
	Newcastle upon Tyne	
Postcode	N E 1 3 6 D D	

6 Short particulars of all the property mortgaged or charged

Please give the short particulars of the property mortgaged or charged		Continuation page Please use a continuation page if you need to enter more details
Short particulars	<p>The Charity with full title guarantee -</p> <p>(1) charges to the Lender by way of legal mortgage The Alnwick Garden, Alnwick, Northumberland registered at the Land Registry with leasehold title under title number ND136278, The Alnwick Garden, Alnwick, Northumberland registered at the Land Registry with leasehold title under title number ND136359, The Alnwick Garden, Alnwick, Northumberland registered at the Land Registry with leasehold title under title number ND136277 and the Car Park on the east side of Denwick Lane, Alnwick, Northumberland registered at the Land Registry with leasehold title under title number ND140644 ("the Property"),</p> <p>(2) assigns to the Lender the benefit of all covenants, rights, claims and guarantees relating to the Property or the Property's construction, use or title and the benefits of all easements serving or relating to the Property, subject to reassignment on redemption,</p> <p>(d) assigns to the Lender the Rental Sums together with the benefit of all rights and remedies of the Charity relating to them, subject to reassignment on redemption,</p> <p>(e) charges to the Lender by way of fixed charge all rights and interests in and claims under all policies of insurance and assurance now or in the future held, to be held or insuring to the benefit of the Charity and relating to the Property,</p> <p>(f) charges to the Lender by way of fixed charge all buildings, structures, plant, machinery and other items affixed to or forming part of the Property,</p> <p>(g) charges to the Lender by way of fixed charge all the goodwill relating to the Property or the business and undertaking conducted at the Property,</p> <p>("the Charged Property")</p> <p>NB the Charge contains a restriction to the effect that the Charity will not, without the Lender's prior written consent -</p>	

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7 Particulars as to commission, allowance or discount (if any)

Please insert the amount or rate percent of any commission, allowance or discount paid or made either directly or indirectly by the company to any person on consideration of his

- subscribing or agreeing to subscribe, whether absolutely or conditionally, or
- procuring or agreeing to procure subscriptions, whether absolute or conditional,

for any debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered

Commission allowance or discount

NIL

8 Delivery of instrument

You must deliver the original instrument (if any) creating or evidencing the charge and these prescribed particulars to the Registrar of Companies within 21 days after the date of creation of the charge (section 860). If the property is situated and the charge was created outside the United Kingdom (UK), you must deliver the information to the Registrar within 21 days after the date on which the instrument could have been received in the UK in the normal course of post and assuming you had posted it promptly (section 866)

We will accept a verified copy of the instrument creating the charge where the property charged is situated and the charge was created outside the UK (section 870). The company or the person who has delivered the copy to the Registrar must verify it to be a correct copy and sign it. Where a body corporate gives the verification, an officer of that body must sign it. We will also accept a verified copy where section 867(2) applies (property situated in another part of UK)

9 Signature

Please sign the form here

Signature

Signature

X Dickinson Dees LLP

X

This form must be signed by a person with an interest in the registration of the charge

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Particulars of a mortgage or charge

**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form and will establish where we return the original documents. The contact information you give will be visible to searchers of the public record.

Contact name Laura McNabb (NOR/133/32)

Company name Dickinson Dees LLP

Address St Ann's Wharf

112 Quayside

Post town Newcastle upon Tyne

County/Region Tyne and Wear

Postcode N E 1 3 D X

Country

DX DX 61191 Newcastle upon Tyne

Telephone Tel 0191 279 9000

**Certificate**

We will send your certificate to the presenter's address if given above or to the Company's Registered Office if you have left the presenter's information blank.

**Checklist**

We may return forms completed incorrectly or with information missing

Please make sure you have remembered the following

- ☒ The company name and number match the information held on the public Register
- ☒ You have included the original deed with this form
- ☒ You have entered the date the charge was created
- ☒ You have supplied the description of the instrument
- ☒ You have given details of the amount secured by the mortgagee or chargee
- ☒ You have given details of the mortgagee(s) or person(s) entitled to the charge
- ☒ You have entered the short particulars of all the property mortgaged or charged
- ☒ You have signed the form
- ☒ You have enclosed the correct fee

**Important information**

Please note that all information on this form will appear on the public record.

**How to pay**

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

Make cheques or postal orders payable to 'Companies House'

**Where to send**

You may return this form to any Companies House address, however for expediency we advise you to return it to the appropriate address below:

For companies registered in England and Wales

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ
DX 33050 Cardiff

For companies registered in Scotland:

The Registrar of Companies, Companies House,
Fourth floor, Edinburgh Quay 2,
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF
DX ED235 Edinburgh 1
or LP - 4 Edinburgh 2 (Legal Post)

For companies registered in Northern Ireland:

The Registrar of Companies, Companies House,
First Floor, Waterfront Plaza, 8 Laganbank Road,
Belfast, Northern Ireland, BT1 3BS
DX 481 N R Belfast 1

**Further information**

For further information, please see the guidance notes on the website at www.companieshouse.gov.uk or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.companieshouse.gov.uk

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Particulars of a mortgage or charge

4	Amount secured	
	Please give us details of the amount secured by the mortgage or charge	
Amount secured	<p>In this Form MG01 the following words and expressions shall have the following meanings -</p> <p>"Administrator" an administrator appointed under the Insolvency Act 1986</p> <p>"Encumbrance" all laws, regulations, directives, statutes, subordinate legislation, common law and other national and local laws, all judgments, orders, instructions or awards of any court or competent authority and all codes of practice and guidance notes which relate to the Environment or human health or the health of animals or plants</p> <p>"Environment" the natural and man-made environment and all or any of air, water and land, including air within buildings and air within other natural or man-made structures above or below ground</p> <p>"Expenses" (a) all expenses (on a full indemnity basis) incurred by an Administrator of the Charity in carrying out his statutory functions and that Administrator's remuneration and (b) all expenses (on a full indemnity basis) including legal and valuation fees, from time to time paid or incurred by the Lender or any Receiver at any time in connection with the Charged Property or the Obligations or in taking, perfecting or enforcing the Charge or in exercising any right or power under the Charge or otherwise together with VAT upon such expenses where appropriate and Interest from the date they are incurred</p> <p>"Interest" interest at the rate or rates agreed between the Lender and the Charity and in the absence of agreement in respect of any liability or obligation at the rate of 3% per annum above the base rate of Barclays Bank PLC from time to time.</p> <p>"Lease" any letting, underlease or sub-lease and any tenancy, licence or other agreement for possession or occupation.</p> <p>"Loan Agreement" the loan agreement dated on or around 4 March 2010 between the Lender and the Charity.</p> <p>"Receiver" any person appointed as receiver, administrative receiver, manager or receiver and manager</p> <p>"Rental Sums" all rents, profits, income, fees and other sums at any time payable by any lessees, underlessees, tenants or licensees of the Property to the Charity except any sums payable in respect of services or insurance provided by the Charity in relation to such Property</p> <p>"VAT" value added tax or any other tax on added value or on turnover for the time being in force</p>	

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Particulars of a mortgage or charge

4	Amount secured	
	Please give us details of the amount secured by the mortgage or charge	

Amount secured

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Particulars of a mortgage or charge

5

Mortgagee(s) or person(s) entitled to the charge

Please give the name and address of the mortgagee(s) or person(s) entitled to the charge

Name	The Honourable Matthew White Ridley						
Address	Blagdon Estate Office, Seaton Burn, Newcastle						
	upon Tyne as trustees of						
Postcode	N	E	1	3		6	D D
Name	9th Duke of Northumberland's Will Trust, 10th Duke of						
Address	Northumberland's Referential Settlement Duke's Appointed						
	Fund (together "the Lender")						
Postcode							
Name							
Address							
Postcode							
Name							
Address							
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Address							
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Name							
Address							
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Name							
Address							
Postcode							
Name							
Address							
Postcode							

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Particulars of a mortgage or charge

6 Short particulars of all the property mortgaged or charged

Please give the short particulars of the property mortgaged or charged

Short particulars

- (1) create or permit to arise or continue any Encumbrance affecting the Charged Property,
- (2) dispose of the Charged Property charged by paragraphs (1) to (2) inclusive above,
- (3) grant or accept a surrender of any Lease, or part with or share possession or occupation of, its freehold and leasehold property or any part of it nor vary any Lease or reduce any sum payable under any such Lease or enter into any onerous or restrictive obligations affecting its freehold and leasehold property or any part of it.

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Particulars of a mortgage or charge

6	Short particulars of all the property mortgaged or charged
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Please give the short particulars of the property mortgaged or charged
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Short particulars	
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CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

Pursuant to section 869(5) & (6) of the Companies Act 2006

**COMPANY NO. 4584694
CHARGE NO. 3**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES
HEREBY CERTIFIES THAT A LEGAL CHARGE DATED 4 MARCH
2010 AND CREATED BY THE ALNWICK GARDEN TRUST FOR
SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE
COMPANY TO THE MOST NOBLE RALPH GEORGE ALGERNON
12TH DUKE OF NORTHUMBERLAND. THE MOST NOBLE
RICHARD WALTER JOHN 10TH DUKE OF BUCCLEUCH. THE
HONOURABLE MATTHEW WHITE RIDLEY AS TRUSTEES OF
THE 9TH DUKE OF NORTHUMBERLAND'S WILL TRUST, 10TH
DUKE OF NORTHUMBERLANDS REFERENTIAL SETTLEMENT:
DUKE,S APPOINTED FUND UNDER THE TERMS OF THE
AFOREMENTIONED INSTRUMENT CREATING OR EVIDENCING
THE CHARGE WAS REGISTERED PURSUANT TO CHAPTER 1
PART 25 OF THE COMPANIES ACT 2006 ON THE 9 MARCH 2010

GIVEN AT COMPANIES HOUSE, CARDIFF THE 12 MARCH 2010

Ex. Sec.



Companies House
— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES