

152634/13

MG01

Particulars of a mortgage or charge



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 in Scotland
company To do this, use
form MG01s

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13/02/2010

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COMPANIES HOUSE

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1

Company details

Company number 0 3 8 3 1 2 2 9

Company name in full Freightliner Heavy Haul Limited (Assignor)

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 01 02 2009

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

A Certificate of Assignment executed by the Assignor in favour of the
Assignee (as defined in section 5) (Certificate of Assignment), made
pursuant to a Master Deed of Assignment entered into between the Assignor
and the Assignee and dated 17 June 2009 (Master Assignment)

4

Amount secured

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

Amount secured

(a) all sums due and to become due to the Assignee
pursuant to the terms of the HP Agreements (whether
present, future, actual or contingent), and

07

(b) all costs charges and expenses of any kind
whatsoever including legal and other professional
costs and charges incurred by the Assignee in
taking any steps whether by way legal proceedings
or otherwise to enforce any of the provisions of
the Master Assignment, such costs charges and
expenses to be payable in all cases on a full
indemnity basis and so that any taxation of the
Assignee's legal costs charges and expenses shall
be on a solicitor and own client basis

continued

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 / Bank of Scotland PLC (Assignee)

Address PO Box 254, City Road

Chester

Postcode C H 8 8 3 A N

Name

Address

Postcode

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

The Assignor assigned to the Assignee with full title guarantee

(a) the full benefit of the Sub-Hire Agreements to the extent that they relate to the Goods (**Assigned Agreements**), including the right to receive all monies due and to become due to the Assignor under the Assigned Agreements (other than any Excluded Amounts), and

(b) the benefit of all guarantees indemnities negotiable instruments and securities taken by the Assignor in connection with the Assigned Agreements

In this form the following terms shall have the following meanings

Excluded Amounts means, in connection with any Assigned Agreements, any amounts payable under any indemnities or insurances in respect of third party death, personal injury or third party property damage

ScheduleSub-Hire Agreements

Sub-Hire Agreement No 93/070/01/509188

Customer Name and Address Freightliner PL Spolka z o.o Al Komisji Edukacji Narodowej 36 lokal 200 02-797 Warszawa

Description of Goods Electro-Motive Diesel Class 66 3000 THPJT42CWR serial number 20058772-003 66625

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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 Addlakaw Goddard LLP X

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

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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 COBBJ/1056-New

Company name Addleshaw Goddard LLP

Address 100 Barbirolli Square

Post town Manchester

County/Region

Postcode M 2 3 A B

Country

DX 14301 Manchester

Telephone 0161 934 6000



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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4	Amount secured	
Amount secured	<p data-bbox="317 349 1059 383">Please give us details of the amount secured by the mortgage or charge</p> <p data-bbox="317 405 461 432">Continued</p> <p data-bbox="317 468 1378 495">In this form the following terms shall have the following meanings</p> <p data-bbox="317 530 1493 685">Goods means the goods let by the Assignee to the Assignor pursuant to the HP Agreements, which are sub-let by the Assignor pursuant to the Sub-Hire Agreements, and which are more particularly described in the schedule to the Certificate of Assignment (reproduced as a schedule to this form MG01)</p> <p data-bbox="317 721 1426 813">HP Agreements means the hire purchase agreement with agreement number 93/070/01/509188 entered into between the Assignor and the Assignee, whereby the Assignee lets Goods to the Assignor</p> <p data-bbox="317 848 1493 969">Sub-Hire Agreements means the agreements pursuant to which the Assignor lets the Goods to a customer, more particularly described in the schedule to the Certificate of Assignment (reproduced as a schedule to this form MG01)</p>	



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

**COMPANY NO. 3831229
CHARGE NO. 12**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES
HEREBY CERTIFIES THAT A CERTIFICATE OF ASSIGNMENT
DATED 12 FEBRUARY 2010 AND CREATED BY FREIGHTLINER
HEAVY HAUL LIMITED FOR SECURING ALL MONIES DUE OR
TO BECOME DUE FROM THE COMPANY TO BANK OF
SCOTLAND PLC 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 13 FEBRUARY
2010

GIVEN AT COMPANIES HOUSE, CARDIFF THE 17 FEBRUARY
2010

Dx/KH



Companies House
— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES