

MG01

Particulars of a mortgage or charge



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**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 on a  
company. To do this, use  
form MG01s

SATURDAY



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\*A16T21SJ\*

14/04/2012

#307

COMPANIES HOUSE

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jk

**1 Company details**

Company number 0 1 6 4 9 4 5

Company name in full FKI Limited

2 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 d1 d0 m0 m4 y2 y0 y1 y2

**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 between (1) FKI Limited (the "First Chargor"), (2) FKI Engineering Limited (the  
"Second Chargor"), and (3) BDW Trading Limited (the "Chargee") dated 10 April 2012 (the  
"Legal Charge")

**4 Amount secured**

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

Amount secured The Deposit, to the extent that it falls due for refund by the Sellers in  
accordance with the Sale Contract, together with any interest on such  
amount to the date of payment at such rates and upon such terms as  
may be specified in the Sale Contract or may from time to time be  
agreed, fees and other charges and all legal and other costs, charges  
and expenses incurred by the Chargee in relation to the Chargor  
pursuant to the Legal Charge on a full indemnity basis (the "Secured  
Liabilities")

"The Deposit" has the same meaning specified in the Sale Contract,

Continued

**Continuation page**

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

**MG01****Particulars of a mortgage or charge****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 BDW Trading Limited

Address Barratt House, Cartwright Way, Forest Business  
Park, Barden Hill, Coalville, Leicestershire

Postcode L E 6 7 1 U F

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

- (a) The First Chargor charges in favour of the Chargee with full title guarantee as a continuing security for the payment of the Secured Liabilities by way of first legal mortgage the FKI Property together with all buildings and fixtures (including trade and tenant's fixtures belonging to it) at any time thereon
- (b) The First Chargor assigns to the Chargee with full title guarantee as a continuing security for the payment of the Secured Liabilities, and subject to reassignment to the First Chargor upon full and unconditional payment or discharge of the Secured Liabilities
- (a) the proceeds of any insurance from time to time affecting the FKI Property,
- (b) the Rental Payments, together with the benefit of all rights and remedies of the First Chargor relating to them
- (c) The First Chargor hereby covenants that it will not without the prior consent in writing of the Chargee
- (a) create or attempt to create or permit to subsist any mortgage, debenture, charge (whether fixed or floating) or pledge upon or permit any lien or other encumbrance (save a lien arising by operation of law in the ordinary course of trading) to arise on or affect the FKI Property, or
- (b) part with possession, transfer, sell, lease or otherwise dispose of the FKI Property or attempt or agree so to do

"Rental Payments" means all rents, profits, income, fees and other sums at any time payable by any lessees, tenants or licensees of the FKI Property except any sums payable in respect of services or insurances provided by the Chargor in relation to the FKI Property

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## Particulars of a mortgage or charge

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### 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

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### 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 870).

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 866). 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).

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### Signature

Please sign the form here

Signature

Signature

X Weighnmas 4p

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 SZK 177450B/1058

Company name  
Weightmans LLP

Address Pall Mall Court

61-67 King Street

Post town Manchester

County/Region

Postcode M 2 4 P D

Country

DX DX 18564 Manchester 7

Telephone



### 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,  
Second Floor, The Linenhall, 32-38 Linenhall Street,  
Belfast, Northern Ireland, BT2 8BG  
DX 481 N R Belfast 1



### Further information

For further information, please see the guidance notes on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.companieshouse.gov.uk)**

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### Particulars of a mortgage or charge

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#### Amount secured

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

Amount secured ✱

"Sellers" has the same meaning as specified in the Sale Contract,

"Sale Contract" means the contract dated on or around the date of the Legal Charge relating to the sale and purchase of the Property and made between (1) the First Seller, (2) the First Chargor, (3) the Second Chargor and (4) the Chargee,

"First Seller" means FKI Scheme Trustees Limited,

"Property" means the FKI Property and the Engineering Property or, as the context requires, either of them,

"FKI Property" means the Freehold land situated at Manchester Road, Rochdale, Lancashire registered at the Land Registry with title number GM928835 and Leasehold land situated at Manchester Road, Rochdale, Lancashire registered at the Land Registry with title number GM795369, and

"Engineering Property" means the Freehold land situated at Manchester Road, Rochdale, Lancashire registered at the Land Registry with title numbers GM216091, GM34701 and MAN141103



## **CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE**

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

**COMPANY NO. 164945  
CHARGE NO. 2**

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A LEGAL CHARGE DATED 10 APRIL  
2012 AND CREATED BY FKI LIMITED FOR SECURING ALL  
MONIES DUE OR TO BECOME DUE FROM THE CHARGOR TO  
BDW TRADING LIMITED 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 14 APRIL 2012

GIVEN AT COMPANIES HOUSE, CARDIFF THE 23 APRIL 2012

*DX*



*Companies House*  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES