

# M

CHFP041

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legibly, preferably  
in black type or  
bold block  
lettering\* Insert full name  
of company

COMPANIES FORM No. 395

## Particulars of a mortgage or charge

Pursuant to section 395 of the Companies Act 1985

**A fee of £10 is payable to Companies House in respect of  
each register entry for a mortgage or charge.**

FEE

# 395

To the Registrar of Companies  
(Address overleaf - Note 6)

For official use Company number

Name of company

8

00304795

\*  
C. FIRBANK AND SON LIMITED ("the MORTGAGOR")

Date of creation of the charge

19th AUGUST 2005

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

LEGAL CHARGE

("the MORTGAGE")

Amount secured by the mortgage or charge

The Mortgagor hereby covenants on demand to pay to the Bank all money and discharge all obligations and liabilities whether actual or contingent now or hereafter due owing or incurred to the Bank by the Mortgagor in whatever currency denominated whether on any banking or other account or otherwise in any manner whatsoever (whether alone or jointly and in whatever style name or form and whether as principal or surety) including without limitation all liabilities in connection with foreign exchange transactions accepting endorsing or discounting any notes or bills or under bonds guarantees indemnities documentary or other credits or any instruments whatsoever from time to time entered into by the Bank for or at the request of the Mortgagor and all amounts which may become payable or for which the Mortgagor may become liable under this Legal Charge

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

THE BANK OF IRELAND  
SECURITIES DEPT.-LONDON  
727/729 HIGH ROAD  
FINCHLEY, LONDON

The Governor and  
Company of

("the BANK")

Postcode

N12 0BJ

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

Crowley & Company  
Solicitors  
P.O. Box 2175  
Reading  
Berks RG1 1BE

Time critical reference

RB1822/JW

For official use  
Mortgage section

Post room

A32  
COMPANIES HOUSE

\*HXUD836\*

0371  
24/08/05

Com 395-1/2

Short particulars of all the property mortgaged or charged

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bold block  
lettering

A fee of £10 is  
payable to  
Companies House  
in respect of each  
register entry for a  
mortgage or  
charge.  
(See Note 5)

Firstly - all that freehold property known as 4 Blackburn Road Houghton Regis all which Property is registered at H.M. Land Registry under Title Number BD144817 and all buildings structures fixtures (including trade fixtures) and fixed plant machinery and equipment from time to time thereon

Secondly - all the right title and interest of the Mortgagor to and in any proceeds of any present or future insurance of the Property firstly described

Thirdly - (Unless otherwise specifically agreed by the Bank in writing) any present and future goodwill attaching to the Property firstly described by reason of the carrying on thereat of the business (if any) of the Mortgagor or a predecessor of the Mortgagor in that business

Fourthly - (if the Mortgagor is a Company) all moveable plant machinery implements utensils furniture and equipment now or from time to time placed on or used in or

Particulars as to commission allowance or discount (note 3)

NIL

Signed

*Cowling*

Date 19th AUGUST 2005

On behalf of [company] [mortgagee/chargee]\*

\*Delete as  
appropriate

Notes.

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.
5. Cheques and Postal Orders are to be made payable to **Companies House**.
6. The address of the Registrar of Companies is:-  
Companies House, Crown Way, Cardiff CF4 3UZ.

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# Particulars of a mortgage or charge (continued)

Continuation sheet No. \_\_\_\_\_  
to Forms Nos 395 and 410 (Scot)

Please complete  
legibly, preferably  
in black type or  
bold block lettering

Company number

00304795

Name of company

\* Delete if  
inappropriate

C. FIRBANK AND SON

Limited \*

Description of the instrument creating or evidencing the mortgage or charge (continued) (note 2)

and together with interest to date of payment as hereinafter provided commission fees and other charges and all legal and other costs charges and expenses incurred by the Bank or any Receiver in relation to the Mortgagor or the Mortgaged Property (as defined in Clause 4 hereof) on a full indemnity basis and also losses and damages that may be sustained suffered or incurred by the Bank arising out of or in connection with any act matter or thing done or omitted to be done by the Mortgagor under this Legal Charge or any document arrangement or agreement between the Mortgagor and the Bank or any disclaimer of any of the Mortgagor's liabilities or obligations to the Bank and also interest on the foregoing to the date of payment

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bold block lettering

Names, addresses and descriptions of the mortgagees or persons entitled to the charge (continued)

100

about the Mortgaged Property.

The Charge hereby created shall as regards the property Firstly Secondly and Thirdly described be a First Fixed Charge (and as regards all those parts of the property Firstly described shall constitute a Charge by way of legal mortgage thereon) and as the property Fourthly described and to the extent of any property assets and/or rights are not or have ceased to be effectively mortgaged or charged by way of First Fixed Charge shall be a Floating Charge (which shall crystallise on a demand being made in accordance with Clause 2)

Please complete  
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The Mortgagor hereby covenants with the Bank that during the continuance of this security the Mortgagor will at all times:-

"Except with the prior written consent of the Bank not create or attempt to create or permit to subsist upon the Mortgaged Property any mortgage debenture pledge or charge upon or permit any lien right of set-off or other security interest or encumbrance whatsoever to arise on or effect any part of the Mortgaged Property ranking either in priority or in pari passu with the Charge hereby created or which will rank after the Charge Contained in this Legal Charge."

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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. 00304795

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL CHARGE DATED THE 19th AUGUST 2005 AND CREATED BY C. FIRBANK AND SON, LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO THE GOVERNOR AND COMPANY OF THE BANK OF IRELAND UNDER THE TERMS OF THE AFOREMENTIONED INSTRUMENT CREATING OR EVIDENCING THE CHARGE WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 24th AUGUST 2005.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 30th AUGUST 2005.

*Pmm*



*Companies House*

— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES