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COMPANIES FORM No. 395

Particulars of a mortgage or charge

395

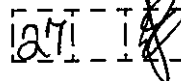
Companies House Approval No: CHA113

Pursuant to section 395 of the Companies Act 1985

Please do not
write in
this marginPlease complete
legibly, preferably
in black type, or
bold block letteringTo the Registrar of Companies
(Address overleaf—Note 5)

For official use

Company number



552331

Name of company

*Orb Estates Plc

* insert full name
of company

Date of creation of the charge

2 December 1997

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

Commercial Mortgage

Amount secured by the charge

All monies, obligations and liabilities present or future due, owing or incurred to Bristol & West when the same become due for payment or discharge whether by acceleration or otherwise. The monies, obligations or liabilities may be:

- express or implied
- present future or contingent
- joint or several
- incurred as principal or under a guarantee or indemnity
- originally owing to Bristol & West or purchased or otherwise acquired by it
- denominated in sterling or in any other currency
- incurred on any banking or other account or in any other name whatsoever

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

Bristol & West plc, PO Box 27, Broad Quay, Bristol ("Bristol & West")

Postcode BS99 7AX

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

Wansbroughs Willey Hargrave
103 Temple Street
Bristol BS99 7UD

For Official Use
Mortgage Section

Post Room



Time critical reference

Short particulars of all the property charged

Please do not write in this margin

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

1. By way of legal mortgage the property known as Land & Buildings on the South side of Rounds Green Road, Oldbury, Warley (title number WM468823); Land & Buildings on the West side of Harborough Hill Road, Barnsley (title numbers SYK146374 & SYK182369) (the "Property") and all buildings, fixtures and fixed plant and machinery from time to time on such property together with all estates, rights, title, options, and privileges appurtenant to, or benefitting, the same including all beneficial interests of the Company in the Property.
2. By way of fixed charge the benefit of all guarantees, indemnities, rent deposits, agreements, contracts, undertakings and warranties relating to the Charged Property.
4. By way of an assignment the goodwill of the business carried on by the Company at the Property.
5. By way of an assignment all monies from time to time payable to the Company in relation to contracts or policies of insurance by the Company or to which the Company is entitled (including the refund of any premiums).
- A The above assets (the "Charged Property") are charged or, as appropriate, assigned as continuing security.
- B The Commercial Mortgage secures further advances.
- C The Commercial Mortgage contains restrictions upon dealing in anyway with the Property (including leasing, assigning, disposing, charging or surrendering any interest in the Property).
- D The Commercial Mortgage contains a further assurance clause.

Particulars as to commission allowance or discount (note 3)

Nil

Signed

Wansbroughs Willey Hargrave

Date

2 December 1997

On behalf of [company] [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 The address of the Registrar of Companies is:-
Companies House, Crown Way, Cardiff CF4 3UZ

FILE COPY



CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

Pursuant to section 401(2) of the Companies Act 1985

COMPANY No. 00552331

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A COMMERCIAL MORTGAGE DATED THE 2nd DECEMBER 1997 AND CREATED BY ORB ESTATES PLC FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO BRISTOL & WEST PLC ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 3rd DECEMBER 1997.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 4th DECEMBER 1997.

A handwritten signature in dark ink, appearing to read 'J. M. Evans'.

J. M. EVANS

for the Registrar of Companies



COMPANIES HOUSE

HC026B

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