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COMPANIES FORM No. 395

**395****Particulars of a mortgage or charge**

Pursuant to section 395 of the Companies Act 1985

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

\*Insert full name  
of company

To the Registrar of Companies

For official use Company number

[9] [1] [1] [1] [1] [1]

702316

Name of company

\* R.N. SMITH (HOLDINGS) LIMITED

Date of creation of the charge

28th July 1998

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

Charge of Whole - legal Charge

Amount secured by the mortgage or charge

£300,000 with interest

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

Duckhams Oils Limited

Registered office: 500-600 Witan Gate, Central Milton Keynes,

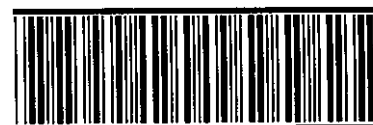
Bucks

Postcode MK9 1ES

Presentor's name, address and  
reference (if any): MMS  
Simmonds Church Smiles  
13 Bedford Row  
London WC1R 4BU

For official use  
Mortgage section

Post room



PMO \*PBQH900G\* 1783  
COMPANIES HOUSE 01/08/98

Time critical reference

Short particulars of all the property mortgaged or charged

Building at Lowside, Bowness on Windermere

Please do not  
write in  
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Please complete  
legibly, preferably  
in black type or  
bold block  
lettering

Particulars as to commission allowance or discount (note 3)

Nil

Signed

Date 31st July 1998

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.

H.M. LAND REGISTRY

Land Registration Acts 1925 to 1988

County and District: Cumbria: South Lakeland

Title Numbers : (a) CU94322  
(b) CU94323

Properties : (a) Land and buildings at  
Lowside  
Bowness-on-Windermere  
(b) Rayrigg Showrooms Rayrigg  
Road Bowness-on-Windermere

THIS LEGAL CHARGE is made the 28<sup>th</sup> day of July  
One Thousand Nine Hundred and Ninety-Seven <sup>1997</sup> B E T W E E N  
R. SMITH (WINDERMERE) LIMITED whose Registered Office is at  
Rayrigg Showrooms Rayrigg Road Bowness-on-Windermere  
Cumbria (hereinafter called "the Borrower") of the first  
part R.N. SMITH (HOLDINGS) LIMITED whose Registered Office  
is at Station House Station Road Kendall Cumbria  
(hereinafter called "the Surety") of the second part and  
DUCKHAMS OILS LIMITED whose Registered Office is situate at  
500-600 Witan Gate Central Milton Keynes Bucks MK9 1ES  
(hereinafter called "the Company") of the third part

W H E R E A S

(a) Expressions used in the following recitals have the meanings and interpretations assigned to them by clause 1 of this Deed

(b) The Borrower carries on the business of proprietor of motor garage and works situate at the Property

(c) At the request of the Borrower the Company has arranged with the Bank that the Bank shall advance the Loan to the Borrower at the rate of interest and upon the terms and conditions set out in the Facility Letter

(d) The Bank has required BP Oil UK Limited to enter into the Guarantee for the purpose of (inter alia) guaranteeing the repayment by the Borrower of the Loan to the Bank

(e) In consideration of the said BP Oil UK Limited guaranteeing the Loan the Borrower has agreed that it will procure that all money paid or payable under the Guarantee in respect of the Loan (together with all other money herein covenanted to be paid by the Borrower to the Company) shall be charged upon the Property and the Borrower has further agreed with the Company to enter into the covenants hereinafter contained

(f) The Surety has agreed at the request of the Borrower to join in this Deed as Surety and to charge the Additional Security (as hereinafter defined) to secure its obligations as hereinafter appears

NOW THIS DEED W I T N E S S E T H as follows:-

1. In this Deed where the context admits

(1) The following expressions have the following meanings

Bank

The Royal Bank of  
Scotland plc whose  
Registered Office is  
at 36 St. Andrew  
Square Edinburgh  
EH2 2YB

Borrower

the Borrower as  
hereinbefore defined  
and the persons  
deriving title under it

FILE COPY



## CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 00702316

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL CHARGE DATED THE 28th JULY 1998 AND CREATED BY R.N.SMITH HOLDINGS LIMITED FOR SECURING £300,000 DUE OR TO BECOME DUE FROM THE COMPANY AND/OR R.SMITH (WINDERMERE) LIMITED TO DUCKHAMS OILS LIMITED UNDER THE TERMS OF THE CHARGE WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 1st AUGUST 1998.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 4th AUGUST 1998.

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

J. M. EVANS

for the Registrar of Companies



COMPANIES HOUSE