

**M**  
**CHA 248**

**COMPANIES FORM No. 395**  
**Particulars of a mortgage or charge**



400031  
**395**

Pursuant to section 395 of the Companies Act 1985

Please do not write in this margin

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

To the Registrar of Companies  
(address on page 2 - Note 5)

For official use

Company number

118

1618069

Name of company

\* insert full name of company

\* FWSC (EXMOUTH) LIMITED

Date of creation of the charge

17 SEPTEMBER 2004

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

T A Deed of Admission to an Omnibus Guarantee and Set-Off Agreement dated 17<sup>th</sup> June 2003 (the "Agreement")

Amount secured by the mortgage or charge

All moneys and liabilities then due or which might thereafter become due to Lloyds TSB Bank plc (the "Bank") from either the Company or any one or more of the other parties to the Agreement (other than the Bank) being at the date hereof the following companies:

(List of companies party to the Agreement)

- 05
- FWS Carter & Sons Limited Co No 2033792
  - Greendale Investments Limited Co No 2836420
  - Exmouth Marina Limited Co No 56685
  - Limbrim Limited Co No 2212476
  - FWSC (Exmouth) Limited Co No 1618069
  - Tripletotal Limited Co No 2555032

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

F8 Lloyds TSB Bank plc  
25 Gresham Street  
London EC2V 7HN

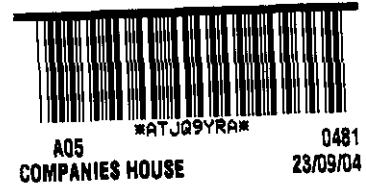
Postcode

Presentor's name address and reference (if any)

LLOYDS TSB BANK plc  
BRISTOL, SECURITIES CENTRE  
WHOLESALE BANKING OPERATIONS  
**DX 95700**  
BRISTOL, (EASTON ROAD) A88282/52

Time critical reference

For Official Use  
Mortgage Section



Any sum or sums for the time being standing to the credit of any present or future account of the Company with the Bank. / 95.

NOTE: By Clause 14.7 of the Agreement, the Company agreed that it would not (without the prior written consent of the Bank) assign, mortgage, charge or otherwise confer upon any third party any right, title or interest in or to all or any of the accounts for the time being of the Company with the Bank or any sum or sums standing to the credit of any one or more of such accounts, or agree to do any such thing, or allow any such third party right, title or interest to subsist (except in each case in favour of, or upon, the Bank).

Particulars as to commission allowance or discount (note 3)

Nil

Signed

Date

21 SEP 2004

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 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. 01618069

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A DEED OF ADMISSION TO AN OMNIBUS GUARANTEE AND SET-OFF AGREEMENT DATED 17TH JUNE 2003 DATED THE 17th SEPTEMBER 2004 AND CREATED BY F W S C (EXMOUTH) LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY AND/OR ALL OR ANY OF THE OTHER COMPANIES NAMED THEREIN TO LLOYDS TSB BANK PLC ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 23rd SEPTEMBER 2004.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 27th SEPTEMBER 2004 .

P. C.



*Companies House*

— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES