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Companies Form No. 395 Particulars of a mortgage or charge

155021/13

395

CHFP118

A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge.

Please do not
write in this
margin

Pursuant to section 395 of the Companies Act 1985

To the Registrar of Companies
(Address overleaf)

For official use

Company number

	6	
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2388808

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

Name of company

Kirwin Brothers Limited

the "Company")

Date of creation of the charge

19th MAY 2009

Description of the instrument creating or evidencing the charge

LEGAL MORTGAGE (OWN ACCOUNT)

Amount secured by the mortgage or charge

All sums of money which the Company may now or at any time in the future owe to Clydesdale Bank PLC (trading as Yorkshire Bank) (the "Bank"); and all liabilities which the Company may now or at any time in the future owe to the Bank.

The sums of money and liabilities referred to above shall include:

- * sums and liabilities due or owing by the Company alone and/or jointly with any other person;
- * sums and liabilities owed as guarantor, indemnifier or security giver for any other person
- * sums and liabilities which may or may not become payable depending on the outcome of future events including any sums and liabilities which would become payable on demand by the Bank.
- * sums and liabilities owed by the Company to another person, the rights to which have been transferred to the Bank
- * sums and liabilities owed on current or any other account
- * interest at the applicable rate or rates the Bank agrees with the Company from time to time in respect of any sum of money or liability, and if no rate has been agreed between the Bank and the Company for any particular sum of money or liability, interest at such rate as the Bank may select from the rates agreed between the Bank and the Company in respect of any other sum of money or liability, in all circumstances, computed and compounded as agreed between the Company and the Bank, or if there is no agreement, in accordance with the Bank's current practice from time to time, both before and after any judgment is obtained by the Bank.
- * banking charges and all costs and expenses (including the Bank's own internal management and administrative costs and legal costs on a full indemnity basis) incurred by the Bank or any receiver appointed by the Bank in exercising the Bank's rights or the receiver's rights under the Legal Mortgage, calculated as agreed between the Company and the Bank, or if there is not agreement, in accordance with the Bank's current practice from time to time.

Name and address of the mortgagee

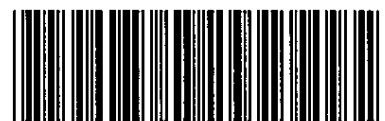
CLYDESDALE BANK PLC whose registered office is at 30 St Vincent Place, Glasgow, G1 2HL

Presenter's name address and reference
(if any): WILKIN CHAPMAN
BX13511 GUMSBY
REF: MDC.

Time critical reference

For Official Use
Mortgage Section

Post Room



AJC0TA19

A36

21/05/2009

169

COMPANIES HOUSE

THURSDAY

particulars of all the property mortgaged or charged

The Company charges to the Bank by way of legal mortgage the property described in Schedule 1 below (the "Property").

Please do not write in this margin.

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

2. The Company assigns to the Bank
 - * any option to purchase or right of pre-emption to acquire the freehold or superior leasehold or to have a new lease of the Property.
 - * any proceeds of sale, letting or other disposition of the Property.
 - * any guarantees, insurance or compensation monies relating to the Property or any authorisation, permit, registration certificate or licence of any kind in force in connection with the Property
 - * any share or membership rights in a residents' association or management company relating to the Property, and
 - * any other benefit or right of any kind relating to the Property, its use, construction or title
3. The Company assigns to the Bank the goodwill belonging to the Company of all businesses from time to time carried on at the Property with the benefit of all authorisations, permits, registration certificates or licences of any kind which the Company may hold in connection with such businesses.
4. The Company also charges to the Bank:
 - 4.1 by way of fixed charge the equipment and goods (if any) listed in Schedule 2 and all other fixtures, fittings, plant and machinery which may from time to time be erected on or affixed to the Property, and
 - 4.2 by way of floating charge all other movable plant, machinery, furniture, equipment, goods and other effects which are from time to time on the Property.

Note:

- A The Bank may at any time by written notice to the Company convert the floating charge over any assets specified in the notice into a fixed charge.
- B The Legal Mortgage contains a prohibition on the Company creating or allowing any mortgage, charge, pledge, lien, assignment by way of security or other security interest of any kind on the Property.

Schedule 1

The Property

leasehold property being land and buildings on north east side of North Quay, Erimbury registered with title no M15112213

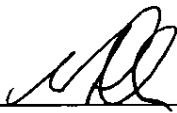
Schedule 2

The equipment and goods subject to fixed charge

NONE

[if none, specify "None"]

Signed



Date

14.5.09

On behalf of (company)(~~chargee~~) ~~†~~

†delete as appropriate

The address of the Registrar of Companies is:-

Companies House, Crown Way, Cardiff, CF4 3UZ

Companies 395



FILE COPY

CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY NO. 2388808
CHARGE NO. 6

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES
HEREBY CERTIFIES THAT A LEGAL MORTGAGE DATED 19
MAY 2009 AND CREATED BY KIRWIN BROTHERS LTD. FOR
SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE
COMPANY TO CLYDESDALE BANK PLC ON ANY ACCOUNT
WHATSOEVER 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 21 MAY 2009

GIVEN AT COMPANIES HOUSE, CARDIFF THE 27 MAY 2009

DX
or



Companies House
— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES