

# M

## COMPANIES FORM No. 395

### Particulars of a mortgage or charge

404321/26  
**395**

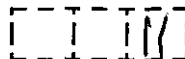
A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge.

Pursuant to section 395 of the Companies Act 1985

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

For official use

Company number



03925327

Name of company

\* Kempton Homes Limited (the "Assignor")

Date of creation of the charge

9 June 2006

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

Assignment of rents (the "Assignment")

Amount secured by the mortgage or charge

1. All of the Assignor's obligations and liabilities to the Lender (as defined below) of any kind and in any currency (whether present or future actual or contingent as principal or surety or incurred alone or jointly with another) and to pay Interest on the amount demanded from the date of demand until payment to the Lender; and

2. The Expenses and Interest on each Expense from the date it is debited to the Assignor's account until payment to the Lender.

(together the "Obligations")

(all definitions are given at addendum 2 of the continuation sheet)

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

Newcastle Building Society (the "Lender") Portland House, New Bridge Street, Newcastle upon Tyne

Postcode NE1 8AL

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

Dickinson Dees  
St Ann's Wharf  
112 Quayside  
Newcastle upon Tyne  
NE99 1SB

For official Use (06/2005)

Mortgage Section

Post room



A46  
COMPANIES HOUSE

544  
23/06/2006

Time critical reference

SLF/NEW/1/1286 3545993

Short particulars of all the property mortgaged or charged

1. By way of assignment all Rental Sums together with the benefit of and all rights and claims of the Assignor against any Occupier and all guarantors and sureties for the obligations of any Occupier now or in the future and together with the power of the Lender to sue recover and give effectual discharges for the same in the name of the Assignor; and

2. By way of first fixed charge all the Assignor's right, title and interest present and future in the Deposit and the Rental account.

(together the "Charged Property")

NB The Assignment contains a restriction to the effect that the Assignor will not without the Lender's prior written consent create or permit to arise or continue any Encumbrance effecting the Charged Property or increase or extend any liability of the Assignor secured on any of the Charged Property.

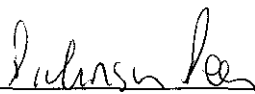
Please do not  
write in  
this margin

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

Particulars as to commission allowance or discount (note 3)

Nil

Signed



Date

22/6/6

On behalf of ~~XXXXXX XXXXXXXX~~ (chargee) †

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

† 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 A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge. Cheques and Postal Orders must be made payable to **Companies House**.
- 6 The address of the Registrar of Companies is: Companies House, Crown Way, Cardiff CF14 3UZ

Name of company

\*insert full name  
of Company

\* Kempton Homes Limited (the "Assignor")

## Addendum 1/4

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

## Addendum 2/4

## 2. Amount due or owing on the mortgage or charge (continued)

In this Form 395 the following expressions have the following meanings:

"Deposit" means all monies from time to time standing to the credit of the Rental Account and all interest and other accruals on such monies;

"Encumbrance" includes any mortgage charge (fixed or floating) pledge lien and any other arrangement or interest (whether by way of assignment trust title retention or otherwise) which has the effect of creating security or payment priority;

"Expenses" means all expenses (on a full indemnity basis) including legal and valuation fees from time to time paid or incurred by the Lender in connection with the Rental Sums or in perfecting or enforcing the Assignment or in exercising any right or power under the Assignment together with VAT where appropriate;

"Interest" means interest at the highest rate from time to time agreed between the Lender and the Assignor;

"Occupier" means any tenant, licensee or other occupier of the Property now and in the future;

"Property" means Park Hall, Thurlow Street, Rusholme, Manchester, M14 5SG registered at HM Land Registry under title number GM533383;

"Rental Account" means such account or accounts as may be established by the Assignor in accordance with the Assignment into which all Rental Sums are to be paid; and

"Rental Sums" means all rents, profits, income, fees and other sums at any time payable by any Occupier to the Assignor now and in the future including any service charge, insurance rent, maintenance charge or any sum received which is similar to the foregoing, any arrears, any sum paid as security for any future rent, all insurance monies payable in respect of loss of rent and any VAT or interest payable on all of the foregoing.

## Addendum 3/4

## 3. Names, addresses and description of the mortgages or persons entitled to the charge (continued)

03925327

Name of company

\*insert full name  
of Company

\* Kempton Homes Limited (the "Assignor")

Addendum 4/4

4. Short particulars of all the property mortgaged or charged (continued)

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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. 03925327

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT AN ASSIGNMENT OF RENTS DATED THE 9th JUNE 2006 AND CREATED BY KEMPTON HOMES LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO NEWCASTLE BUILDING SOCIETY ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 23rd JUNE 2006.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 28th JUNE 2006.

*Pargela*



*Companies House*

— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES