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*insert full name
of company

COMPANIES FORM No. 395

Particulars of a mortgage or charge

Pursuant to section 395 of the Companies Act 1985

For official use

Company number

022529

4029529

Name of company

* Whirlwind Restaurants Limited (the "Mortgagor")

Date of creation of the charge

19 October 2000

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

Legal Mortgage dated 19 October 2000 granted by the Mortgagor in favour of National Westminster Bank Plc (the "Bank") (the "Legal Mortgage")

Amount secured by the mortgage or charge

- (i) all present and/or future indebtedness of the Mortgagor to the Bank on any current and/or other account with interest and bank charges;
- (ii) all other liabilities whatsoever of the Mortgagor to the Bank present future actual and/or contingent;
- (iii) all costs charges and expenses howsoever incurred by the Bank in relation to the Legal Mortgage and such indebtedness and/or liabilities on a full indemnity basis;
- and for the payment of interest on the foregoing day by day from demand until full discharge (as well as before judgment) at the rate payable or deemed to be payable by the Mortgagor. (the "Secured Obligations")

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

National Westminster Bank Plc

Specialised Lending Services

5-10 Great Tower Street, London

Postcode

EC3P 3HX

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

Denton Wilde Sapte
1 Fleet Place
London

EC4M 7WS

DX: 145 Exchange, Exchange
MSS/HPM/58179.00215/BF460501.01

Time critical reference

For official use
Mortgage Section

Post room



Pursuant to the terms of the Legal Mortgage the Mortgagor charges with full title guarantee as a continuing security to the Bank for the discharge on demand of the Secured Obligations:

(i) by way of legal mortgage all and every interest in or over all that leasehold property being Restaurant Premises at Aspects Leisure Centre, Newham Avenue, Bedford, demised by a lease dated 26 February 1999 made between Morgan Grenfell Custodial Services (CI) Limited and Stralo Limited (1) Fatty Arbuckles Limited (2) which the Mortgagor now or hereafter has power to so charge and charges in equity all other interests therein (the "Mortgaged Property") and any proceeds of sale thereof and all monies to be received under any policy of insurance effected in respect of the Mortgaged Property;

(ii) by way of floating security all moveable plant machinery implements utensils furniture and equipment building and other materials goods and other effects now and from time to time placed on or used in or about the Mortgaged Property and the expression "Mortgaged Property" is to be construed accordingly;

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17/07/19

Particulars as to commission allowance or discount (note 3)

NIL

Signed

Deborah Wilde Septe

Date

06/11/2000

On behalf of ~~XXXXX~~ [mortgagee/chargee] †

† delete as appropriate

- 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 situated 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.

(iii) by way of assignment to the Bank all the goodwill and connection of any business or businesses from time to time carried on in or upon the Mortgaged Property or any parts thereof and the full benefit of all licences (which expression shall include any registrations) held in connection with such business(es) subject to redemption on payment of all liabilities secured by the Legal Mortgage and the expression "mortgaged Property" is to be construed accordingly.

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Note: the Legal Mortgage provides that the statutory powers of leasing or of accepting surrenders of leases conferred on mortgagors shall not be exercised by the Mortgagor nor shall the Mortgagor part with possession of the Mortgaged Property or any part thereof nor confer upon any person firm company or body whatsoever any licence right or interest to occupy the Mortgaged Property or any part thereof without the consent in writing of the Bank but the Bank may grant or accept surrenders of leases without restriction.

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2007-2008

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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. 04029529

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL MORTGAGE DATED THE 19th OCTOBER 2000 AND CREATED BY WHIRLWIND RESTAURANTS LTD FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO NATIONAL WESTMINSTER BANK PLC ON ANY ACCOUNT WHATSOEVER WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 7th NOVEMBER 2000.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 9th NOVEMBER 2000.

P.
JK



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES



C O M P A N I E S H O U S E