

096563/13

**395****M**

CHFP041

## COMPANIES FORM No. 395

**Particulars of a mortgage or charge****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 marginPlease complete  
legibly, preferably  
in black type or  
bold black  
lettering\* Insert full name  
of company

Pursuant to section 395 of the Companies Act 1985

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

For official use Company number



5741262

Name of company

Ballymore (Bow Paper) Limited (the "Chargor")

Date of creation of the charge

1 April 2008

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

Charge over a deposit account between (1) the Chargor and (2) Sun Chemical Limited (the "Chargee") and (3) Anglo Irish Bank Corporation plc (the "Bank") (the "Charge")

Amount secured by the mortgage or charge

The Chargor hereby covenants that it will on demand pay to the Chargee all moneys now or hereafter due, owing or incurred to the Chargee by the Chargor arising from a breach of Clauses 16 to 23 of the SPA pursuant to the terms of the Deed of Covenant or otherwise

The Chargor has today paid the sum of £1,923,625 00 ("the Deposit") into the Charged Account and the Bank acknowledges having received this sum which it acknowledges is to be held on the terms of this Deed.

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

Sun Chemical Limited, whose registered office is at 3 High View Road, South Normanton, Derbyshire

Postcode DE55 2DT

Presenter's name, address and  
reference (if any)

Howard Kennedy  
19 Cavendish Square  
London  
W1A 2AW  
PX 42748 Oxford Circus  
North

Time critical reference  
CT3/7569/4227For official use (02/2006)  
Mortgage Section

Post room

FRIDAY



\*LOSA6YS7\*

LD3

11/04/2008

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COMPANIES HOUSE

Short particulars of all the property mortgaged or charged

The Chargor with full title guarantee charges the Deposit and all its rights, titles and benefit whatsoever both present and future therein to the Chargee by way of first fixed charge as a continuing security for the payment and discharge of the Liabilities.

Any terms used in this Form 395 are defined as follows:

"Deposit" means the sum of one million nine hundred and twenty three thousand six hundred and twenty five pounds (£ 1,923,625 00) or such lesser sum as shall be determined pursuant to Clause 8.6 of the Charge and shall not include any interest which accrues on the Deposit

"Charged Account" means the account in the name of the Chargor with the Bank under Account No 60012378

"Liabilities" means the moneys, obligations and liabilities covenanted to be paid or discharged under clause 2 of the Charge

see continuation sheet 1

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legibly, preferably  
in black type or  
bold block  
lettering

+95

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

† Delete as  
appropriate

Particulars as to commission allowance or discount (note 3)

Signed

Howard Kennedy

Date

10 April 2008

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

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 are to be made payable to **Companies House**
- 6 The address of the Registrar of Companies is - Companies House, Crown Way, Cardiff CF4 3UZ

Please do not  
write in this  
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## Particulars of a mortgage or charge (continued)

Continuation sheet No 1  
to Forms Nos 395 and 410 (Scot)

Company number

5741262

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

Name of company

Ballymore (Bow Paper) Limited (the "Chargor")

Limited\*

\*Delete if  
inappropriate

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

Amount due or owing on the mortgage or charge (continued)

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legibly, preferably  
in black type, or  
bold block  
lettering

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**Names, addresses and descriptions of the mortgagees or persons entitled to the charge (continued)**

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

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

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legibly, preferably  
in black type, or  
bold block  
lettering

"SPA" means the Agreement for Sale dated 18 January 2007 and made between (1) the Chargee (2)Sunshine Wharf Ltd and (3) Oracle Group Ltd relating to the Property

"Property" means Sunshine Wharf, Bradfield Road, Silvertown, London being the property the subject of the Sale Agreement

"Deed of Covenant" means the Deed of Covenant Variation and Release dated 18 December 2007 between Sunshine Wharf Limited(1)Sunshine Wharf Limited (2)Sun Chemical Ltd (3)the Chargor (4)Ballymore Properties Ltd (5)



## **CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE**

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

**COMPANY NO. 5741262  
CHARGE NO. 6**

**THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES  
HEREBY CERTIFIES THAT A CHARGE OVER A DEPOSIT  
ACCOUNT DATED 1 APRIL 2008 AND CREATED BY  
BALLYMORE (BOW PAPER) LIMITED FOR SECURING ALL  
MONIES DUE OR TO BECOME DUE FROM THE COMPANY TO  
SUN CHEMICAL LIMITED 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 11 APRIL 2008**

**GIVEN AT COMPANIES HOUSE, CARDIFF THE 17 APRIL 2008**

*P. See.*



*Companies House*  
— for the record —



**THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES**