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\*Insert full name  
of company

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.

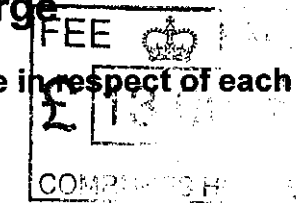
Pursuant to section 395 of the Companies Act 1985

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

Name of company

**Modus (Seaham) Limited**

SEAHAM LIMITED (CONFIRMED BY FAX)



# 395

For official use



Company number

4819259 5893492

(TAKEN FROM DEED)

Date of creation of the charge

22 September 2006

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

Deed of Legal Charge

Amount secured by the mortgage or charge

All moneys, obligations and liabilities whatsoever which may now or at any time in the future be due, owing or incurred by Modus (Seaham) Limited and Seaham Limited and any other Chargor from time to time which has an obligation to any Lender in relation to the Indebtedness ("Group Member") to Norwich Union Mortgage Finance Limited ("Trustee"), Aviva plc and any company which is or becomes a holding company of any such company or subsidiary or associate of any such company or holding company which lends or has lent to, or is at any time owed moneys by, any Group Member ("Lender") or for or in respect of which any Group Member may be liable to the Trustee or any Lender whether present or future, actual or contingent on any account whatsoever and in any manner whatsoever, as principal or surety and whether alone or jointly with any other party or parties, including, without limitation, interest, legal and other costs, charges and expenses ('Indebtedness').

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

Norwich Union Mortgage Finance Ltd  
Sentinel House  
37 Surrey Street

Norwich

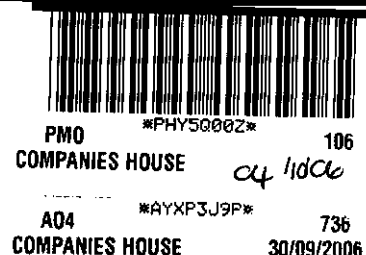
Postcode NR1 3UY

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

Norwich Union Mortgage Finance Limited  
DX 84904  
Norwich 3  
MFL/CML/JMP/Modus

Time critical reference

For official use  
Mortgage Section



## Short particulars of all the property mortgaged or charged

1. By way of legal mortgage freehold and leasehold property to be known as Byron Place Shopping Centre South Crescent South Terrace and Foundry Road Seaham Harbour Seaham Durham – DU50856 DU134242 DU255328 DU11178 DU85459 DU105059 DU177288 DU266910 DU261500 DU24499 DU261267 DU290586 DU272829 DU58241 and as to part of title numbers DU267326 DU282651 DU240898 DU258962 and DU251109 and freehold land known as 1 Church Street Seaham including all buildings, erections and fixtures and fittings (but excluding tenants' fixtures and fittings) and fixed plant, equipment and machinery for the time being thereon and all improvements and additions thereto and all easements, benefits, rights and licences appurtenant thereto subject to and with the benefit of all leases, underleases, tenancies, agreements for lease, rights, options, covenants, indemnities, guarantees, warranties and covenants and conditions affecting the same.
2. By way of fixed charge, all moneys from time to time deposited with the Trustee on the terms set out in Schedule 6 to the deed.
3. By way of floating charge, such of the company's property, assets, rights and revenues whatsoever and wheresoever, present and future, including the uncalled share capital (if any) or such of them as the context requires which is not otherwise from time to time effectively assigned, mortgaged or charged pursuant to clauses 3.1(a), 3.1 (b) or 3.2 of the deed.

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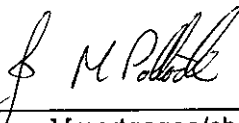
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legibly, preferably  
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lettering*

## Particulars as to commission allowance or discount (note 3)

Nil

*A fee of £13 is  
payable to  
Companies House  
in respect of each  
register entry for a  
mortgage or  
charge.  
(See Note 5)*

Signed



Date 28 September 2006

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, e.g. "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. Cheques and Postal Orders are to be made payable to **Companies House**.
6. The address of the Registrar of Companies is:-

**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.****395**

Pursuant to section 395 of the Companies Act 1985

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

For official use

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Company number

5893492

Name of company

**Seaham Limited**

Date of creation of the charge

22 September 2006

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

Deed of Legal Charge

Amount secured by the mortgage or charge

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37 Surrey Street

Norwich

Postcode NR1 3UY

Presenter's name, address and  
reference (if any):Norwich Union Mortgage Finance Limited  
DX 84904  
Norwich 3  
MFL/CML/JMP/ModusFor official use  
Mortgage Section

Post room

Time critical reference

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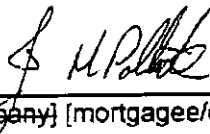
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Companies House  
in respect of each  
register entry for a  
mortgage or  
charge.  
(See Note 5)

Signed



Date 28 September 2006

On behalf of [company] [mortgagee/chargee]\*

Details 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.
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  - (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. Cheques and Postal Orders are to be made payable to Companies House.
6. The address of the Registrar of Companies is:-

FILE COPY



## CERTIFICATE OF THE REGISTRATION OF A MORTGAGE OR CHARGE

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

COMPANY No. 05893492

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A LEGAL CHARGE DATED THE 22nd SEPTEMBER 2006 AND CREATED BY SEAHAM LIMITED FOR SECURING ALL MONIES DUE OR TO BECOME DUE FROM MODUS (SEAHAM) LIMITED AND THE COMPANY AND ANY OTHER CHARGOR TO NORWICH UNION MORTGAGE FINANCE LTD 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 4th OCTOBER 2006.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 9th OCTOBER 2006.



*Companies House*

— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES